



FISCAL YEAR 2002 ANNUAL REPORT

*“Opening Doors and Creating Opportunities
for Minority-and Women Owned Businesses.”*



Mitt Romney
Governor

Kerry Healey
Lieutenant Governor

Philmore Anderson III
State Purchasing Agent

Monserate Quiñones
Executive Director
Affirmative Market Program

FISCAL YEAR 2002 AFFIRMATIVE MARKET PROGRAM ANNUAL REPORT

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON, MA 02133

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MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

May 2003

Dear Friends:

We are delighted to highlight the success of the Affirmative Market Program (AMP) in public contracting, pursuant to Executive Order 390, for fiscal year 2002. This report encompasses the output of participating executive branch agencies and authorities. We have identified the development made by these state entities in their commitment to contracting with minority- and women-owned businesses (M/WBEs). The AMP's mission is to extend opportunities for M/WBEs to contract with the Commonwealth. These successful partnerships and expenditures are included in this report. This Administration is committed to small and diverse businesses and to eliminating any barriers that impede the diversifying of our workforce.

This report will provide a status on the various departments in the Commonwealth and their progress made for fiscal year 2002. It is exciting to note that some highlights include the combined statewide expenditure in the areas of commodities and services expended with M/WBE totaling \$325,096,506. This is an increase of \$23,325,761 or 7.7% over FY01 expenditures of \$301,770,745. The AMP tracks MBE and WBE spending separately. The AMP has tracked spending with Women Business Entrepreneurs and reports a 14.9% increase in the area of goods and services, from 126.4 million in FY01 to 145.2 million in FY02. The total statewide MBE spending also saw increases by 2.6% from 175.4 million in FY01 to 179.9 million in FY02.

This Administration maintains its commitment to implementing initiatives that encourage the full participation of all its citizens, allowing for opportunities for inclusion and growth in the public contracting marketplace. We encourage diversity and economic opportunities that develop business partnerships throughout the Commonwealth.

Sincerely,

A handwritten signature in cursive script that reads "Mitt Romney".

Mitt Romney

A handwritten signature in cursive script that reads "Kerry Healey".

Kerry Healey



The Commonwealth of Massachusetts
Executive Office for Administration and Finance
Operational Services Division
One Ashburton Place, Boston, MA 02108-1552



<http://www.Comm-PASS.com>

Mitt Romney
Governor

Eric A. Kriss
Secretary

Kerry Healey
Lieutenant Governor

Philmore Anderson III
State Purchasing Agent

TO: Monserrate Quinones, Executive Director
Affirmative Market Program

FROM: Philmore Anderson III, State Purchasing Agent

DATE: June 6, 2003

RE: Affirmative Market Program

It is with great pleasure that I write this memo in support of the Affirmative Market Program. I have always emphasized to my staff the importance of including Affirmative Market objectives in those solicitations where there was significant value and a M/WBE vendor population that could respond either as a prime contractor, sub-contractor or provide ancillary services.

In **fiscal year 2002**, the combined M/WBE statewide expenditures for Goods and Services totaled **\$325,096,506**. The participation of certified contractors in the statewide contracting process increases significantly every fiscal year. Our goal is to address any obstacles that impede the participation of M/WBEs and small businesses in any business opportunities the Commonwealth extends. In FY02 there were a total of **129** SOMWBA certified **MBE** statewide contracts and **115** **WBE** statewide contracts. By implementing the AMP Procurement Language Initiative we will seek further prospects for increasing these totals for next fiscal year.

In FY'02, the Affirmative Market Program under the Operational Services Division discussed the targets they accomplished along with, ongoing initiatives. Today, I am pleased to announce that the AMP Program met all of the initiatives they set out to achieve in FY'02. Some of those activities include:

1. Developed a methodology to capture subcontractor payments on Statewide Contracts.
2. On November 20, 2002, the AMP developed new language for all RFRs that will assist departments in meeting their AMP benchmarks.
3. AMP has facilitated the identity of SOMBWA certified M/WBE's on the statewide contract list by prime and sub-contractor participation.
4. The State Purchasing Agent and Deputy Purchasing Agent are active members of the AMP Business Advisory Board.
5. The AMP created a "How to do Business with the Commonwealth of Massachusetts" guide for AMP participants.

Please review the OSD page in the Annual Report for specific details of these accomplishments and others not listed in this letter.

Tel: (617) 720-3300

TDD: (617) 727-2716

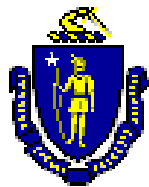
Fax: (617) 727-4527

With OSD being the Central Procurement Office of State Government, whose primary role is to establish statewide contracts for state departments and other governmental entities, what better place to serve the needs and attain the goals of the program, than in the office where it all begins. Additionally, it gives the AMP Program the opportunity to interact with Procurement Team Leaders, participate on Procurement Management Teams, provide input to procurement policy and procedures and have direct contact with my office.

On behalf of the Operational Services Division, I am pleased at the accomplishments the AMP Program have made in FY'03 and together will strive to make the program one of the finest in the nation, with proven results. A special thanks to the Procurement Directors, Team Leaders and support staff of OSD; who, without their help and endorsement, the goals and accomplishments of the AMP Program would be difficult, if not impossible to attain.

I endorse the Affirmative Market Program and appreciate the dedication of the Deputy State Purchasing Agent and the AMP Executive Director, whose efforts have not gone, unnoticed.

Thank you for your continued support of the Affirmative Market Program.



**The Commonwealth of Massachusetts
Executive Office for Administration and Finance
Operational Services Division
One Ashburton Place, Boston, MA 02108-1552**



<http://www.Comm-PASS.com>

Mitt Romney
Governor

Kerry Healey
Lieutenant Governor

Eric A. Kriss
Secretary

Philmore Anderson III
State Purchasing Agent

May 2003

To: All Legislators, Cabinet Secretaries, Agency Heads, and the Certified Business Community

The Affirmative Market Program and its Coordinators are pleased with the outstanding efforts executive branch agencies have exhibited this year. AMP Coordinators have been designated to ensure effective implementation and management of this program. Our goal is to develop initiatives that strengthen relationships with the SOMWBA certified vendor community for increasing their business partnerships with state entities. Certified vendors are invited and encouraged to actively participate in all program events throughout the year including two procurement-training workshops. Thus far, we have trained two hundred vendors in the Commonwealth's procurement process. I am delighted to note the significant interest in the SOMWBA certification process and increased participation of minority and women business entrepreneurs (M/WBEs) from all regions of the state at our events.

In FY02 we executed various initiatives including the new AMP Procurement Language for all types of Commonwealth contracts regardless of size. The new AMP language establishes guidance and sets policies and procedures for meeting AMP objectives in purchasing. This new language will also provide the tools to develop a mechanism for tracking subcontracting commitments and expenditures. This initiative is particularly important now in the midst of our fiscal challenges. Such program output contributed to the significant increase of statewide expenditures with minority-and women-owned businesses. Our commitment is evidenced by the following results:

- In the area of goods and services M/WBE expenditures totaled \$325,096,506.
- In the area of construction and design M/WBE expenditures totaled \$140,064,825.
- In the four contracting areas (goods, services, construction and design) the M/WBE AMP total is **\$465,161,331.**

We will continue to examine all avenues that increase marketing opportunities for the certified vendor community, which would facilitate their successful participation in the state procurement system. This work can only be done with the commitment and support of all participants. I look forward to next fiscal year and the prospects of working together in productively achieving our mission and succeeding in meeting our objectives. I am confident that collectively we are ready to face any challenges that we may encounter.

Sincerely,

Monserrate Quinones
Executive Director
Affirmative Market Program

Tel: (617) 720-3300

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May 2003

Dear Colleagues:

The members of the AMP Business Advisory Board are pleased to share in the efforts of the Affirmative Market Program by representing the different business types that contract with the Commonwealth and are certified to participate in the Affirmative Market Program. We have come together to support, assist and improve ways to introduce AMP Coordinators to the various members of the MBE and WBE business community that are available to do business with participating state agencies.

The AMP Business Advisory Board is made up of volunteers that meet every two months to share ideas, problem solve, and brain storm the range of issues at hand. We also participate in various program activities that include the statewide Fiscal Year Kick-Off and AMP Recognition Day to name some. We attend AMP Coordinators' meetings through out the year as well as exhibit at the State Training And Resources (STAR) event.

Our Major Initiatives Include:

1. The Mentoring Initiative where newly certified businesses will pair with Board members that are knowledgeable about the state procurement process and available to share resources and information on marketing and business strategy.
2. The Survey Initiative that has worked closely with AMP Coordinators to create opportunities for improving successful agency performance in achieving spending benchmarks with M/WBES.
3. The Outreach Initiative with the goal of developing bridges for communication with elected officials and find ways to assist them in their efforts to increase M/WBE inclusion and create a diversified workforce.

Every member of the board has volunteered their time, effort, ideas and extra hours to assist in increasing business opportunities with the state in a more efficient manner. The board is well pleased and committed to our identified initiatives, and welcomes all comments and suggestions to further facilitate additional M/WBE business endeavors with the Commonwealth.

The Affirmative Market Program
Business Advisory Board Members

Affirmative Market Program



Monserate Quiñones
Executive Director

Executive Office for Administration and Finance

Operational Services Division
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EXECUTIVE SUMMARY

INTRODUCTION AND SUMMARY OF FINDINGS

The FY02 Affirmative Market Program Annual Report highlights the Commonwealth's procurement activity with SOMWBA certified Minority-and Women Business Enterprises (M/WBEs) from July 1, 2001 through June 30, 2002.

One of the major functions of the AMP is its enforcement of *Executive Order 390* (see Appendix A). In this capacity the AMP is responsible for tracking participating AMP agency procurement expenditures in the areas of goods, services, construction and design with M/WBEs. One of the integral components and quantitative tools the AMP Executive Director uses each fiscal year to monitor agency performance and participation with M/WBEs is an established benchmarking process. Each participating AMP agency/authority establishes a separate dollar benchmark at the beginning of each fiscal year for MBEs and WBEs. These dollar benchmarks allow the AMP executive director, coordinators, and their respective agencies to track expenditure achievements at the end of the given fiscal year.

It is important to note that expenditures tracked and reported in the statewide totals as highlighted in the FY02 Annual Report are state dollars only. Agencies who include federal dollars as part of their overall budget and have spent federal dollars with M/W/DBEs have the opportunity to include such information as part of their Secretariat Narratives, however those expenditures are not reflected in our totals. The participating Secretary or Agency Head submits the Secretariat Narratives you will find throughout the FY02 Report to the AMP executive director. These narratives provide further detail and information in relation to the final M/WBE expenditures and benchmark achievement for their respective agencies under the Secretariat umbrella. Often times, the expenditures reported to the AMP, do not reflect the concerted effort or the commitment of its staff to our M/WBE community. In certain instances, an agency's inability to meet its M/WBE benchmarks can be attributed to several outside factors. Below, we have cited just a few examples:

- A SOMWBA certified vendor is up for re-certification, however the vendor does not submit the appropriate paper work, therefore losing its M/WBE status. The vendor may continue doing business with the Commonwealth, however the AMP can no longer track those expenditures, as they do not account for M/WBE AMP spending.
- In the middle of a fiscal year a SOMWBA certified vendor is purchased by a non-minority-and woman-owned entity. If the new ownership of the business does not comprise at least 51% minority or woman owned it can not be SOMWBA certified.
- A SOMWBA certified vendor decides to no longer be in business.

These are just a few examples of the challenges that some of our agencies may face during the fiscal year in relation to meeting their established M/WBE benchmarks. The AMP executive director continues to assist agencies overcome these and other challenges via some of the following methods:

- Helping to increase M/WBE vendor pools
- Assisting with economic development strategies and/or activities
- Developing contracting policies and procedures that maximize M/WBE access
- Educating non-minority-and women-owned businesses on the importance of the AMP and development of subcontracting relationships and partnerships with M/WBEs.

Overall, FY02 proved to be a very successful year for the Commonwealth's Affirmative Market Program and the SOMWBA certified community that it assists. The Commonwealth's FY02 expenditures increased 2.6% with MBEs and 14.9% with WBEs respectively. Although FY03 will prove to be a more challenging year due to budgetary reductions, all of our statewide participating AMP entities remain steadfastly committed to the advancement of *Executive Order 390* and the concerns of the SOMWBA certified vendor community.

The contents of the FY02 Affirmative Market Program Annual Report provides further insight and information into each Secretariat's unique procurement needs and relationships with M/WBEs. Additionally, benchmark achievement information for individual agencies represented by the Secretariat are also reported in detail. The following table highlights those Secretariats whose combined agency totals met or exceeded their Secretariat M/WBE Benchmarks for FY02.

FY02 Secretariat AMP Benchmark Achievement

Secretariat	MBE Benchmark	WBE Benchmark
Executive Office of the Governor		
Executive Office for Administration & Finance	✓	✓
Executive Office of Elder Affairs	✓	✓
Executive Office of Environmental Affairs	✓	✓
Executive Office of Health & Human Services	✓	✓
Executive Office of Public Safety	✓	✓
Executive Office of Transportation & Construction		✓
Department of Economic Development		✓
Department of Education	✓	
Department of Housing & Community Development		
Department of Labor and Workforce Development	✓	✓
Office of Consumer Affairs & Business Regulation	✓	✓
Massachusetts Housing Finance Agency	✓	✓

✓ *met or exceeded benchmark*

MINORITY BUSINESS ENTERPRISE FISCAL YEAR 2002 HIGHLIGHTS

	FY00	FY01	FY02
GOODS & SERVICES	153,535,903	175,407,664	179,943,311
CONSTRUCTION	*32,394,013	70,113,284	**81,106,520
DESIGN	*20,563,009	25,000,151	**26,632,360
TOTAL	*206,492,925	270,521,099	**287,682,191

*Unable to provide EOTC's construction and design expenditures in statewide totals because EOTC's data included combined M/WBE and DBE goals and expenditures for FY00.

**Does not include DEM's MBE construction and design expenditures in statewide totals. DEM did not submit data.

In FY02 the combined M/WBE statewide expenditure in the area of goods and services is \$325,096,506 an increase of \$23,325,761 or 7.7% over FY01 expenditures of \$301,770,745.

FY02 statewide MBE goods and services expenditures totaled \$179,943,311 an increase of \$4,535,647, a 2.6% increase over FY01 expenditures of \$175,407,664.

FY02 MBE construction and design expenditures statewide totaled \$107,738,880 increasing by \$12,625,445 or 13% over FY01 expenditures of \$95,113,435.

23% of the Departments met MBE benchmarks for FY02.

We are excited to note that there were significant MBE Expenditure increases for several Secretariats in FY02. Here are just a few examples:

- In FY02 69% or 9 out of 13 participating Secretariats met or exceeded their MBE benchmark compared to 62% in FY01.
- The Executive Office Health and Human Services FY02 MBE expenditures of \$145,174,402, account for 80.68% of the total statewide MBE expenditures of \$179,943,311. Additionally, they increased their MBE expenditures by 1.17% from \$142,676,673 in FY01 to \$145,174,402 in FY02.
- The Executive Office for Transportation and Construction increased its MBE spending by 103% in FY02, from \$1,169,723 to \$2,382,369.
- The Executive Office of Environmental Affairs increased its Goods & Services MBE spending by 55% from \$1,417,227 in FY01 to \$2,539,163 in FY02.
- The Executive Office of Elder Affairs increased its MBE spending by 11% in FY02, from \$14,446,596 to \$16,087,485.
- The Department of Labor and Workforce Development increased its MBE spending by 24% in FY02, from \$697,395 to \$864,983.

WOMEN BUSINESS ENTERPRISE FISCAL YEAR 2002 HIGHLIGHTS

	FY00	FY01	FY02
GOODS & SERVICES	123,345,979	126,363,081	145,153,195
CONSTRUCTION	*14,908,012	41,549,501	**29,344,303
DESIGN	*818,633	2,262,103	**2,981,642
TOTAL	*139,072,624	170,174,685	**177,479,140

*Unable to provide EOTC's construction and design expenditures in statewide totals because EOTC's data included combined M/WBE and DBE goals and expenditures.

** Does not include DEM's WBE construction and design expenditures in statewide totals. DEM did not submit data.

In FY02 statewide WBE expenditures totaled \$145,153,195 an increase of \$18,790,114 a 14.9% increase over FY01 expenditures of \$126,363,081.

26% of the Departments meet WBE benchmarks for FY02.

We are excited to note the following FY02 accomplishments of our Secretariats with WBEs:

- In FY02 76% or 10 out of 13 participating Secretariats met or exceeded their WBE benchmark compared to 69% in FY01.
- The Executive Office Health and Human Services FY02 WBE expenditures account for over 83.27% of the total statewide WBE expenditures of \$145,153,195. Additionally, they increased their WBE expenditures by 15.58% from \$104,581,044 in FY01 to \$120,873,471 in FY02.
- The Executive Office for Administration and Finance increased its WBE expenditures by 13.29% representing a \$320,291 difference from \$2,409,428 in FY01 to \$2,729,719 in FY02.
- The Department of Labor and Workforce Development increased its FY02 WBE expenditures by 140.54% from \$990,608 in FY01 to \$2,382,842 in FY02.
- The Department of Economic Development increased its WBE spending in FY02 by 87.36%, from \$575,622 in FY01 to \$1,078,505.
- The Executive Office of Environmental Affairs increased WBE expenditures by 210.35% from \$1,716,633 in FY01 to \$3,347,092 in FY02.

FISCAL YEAR 2002 AFFIRMATIVE MARKET PROGRAM HIGHLIGHTS

The Affirmative Market Program's second year at the Operational Services Division has been a great success. One of several major accomplishments to mention is the completion of the AMP Language Initiative. This Initiative that began almost two years ago focuses on providing guidance to participating departments and authorities when creating AMP language for all types of procurements. It also provides a standardized approach for AMP targets. The language includes the historical background of the program, management responsibilities, and procurement guidance from the preparation, research, monitoring, compliance and evaluation aspects of the contracting process. All areas containing AMP references of the Commonwealth's Procurement Policies and Procedures Handbook have been updated to complement the new AMP Language Initiative. These revisions include the mandated RFR Specifications section.

This is the second fiscal year that the AMP Business Advisory Board has been in existence and actively collaborating with the State Purchasing Agent, the AMP Executive Director and OSD senior staff. Board members made up of representatives of the minority and women business community have been actively participating in supporting the objectives of Executive Order 390 and the mission of the Affirmative Market Program. To this end, they have identified and taken a lead on initiatives to advance the involvement of M/WBEs in the state contracting process including developing the Mentoring Initiative, Survey Initiative (that assists agencies in meeting fiscal year benchmarks), Training Workshop Initiative, and the Outreach/Education Initiative.

The Following Departments Increased and Exceeded Fiscal Year Benchmarks:

MBE & WBE BENCHMARKS

- Department of Child Care Services
- Department of Labor and Workforce Development
- Department of Medical Assistance
- Department of Mental Retardation
- Department of Public Safety
- Department of Social Services
- Department of Transitional Assistance
- Division of Employment and Training
- Division of Industrial Accidents
- Executive Office of Health and Human Services
- Information Technology Division
- Massachusetts Commission Against Discrimination
- Massachusetts Rehabilitation Commission
- Massachusetts Turnpike Authority

MBE BENCHMARKS

- Bureau of State Office Buildings
- Chief Medical Examiner
- Department of Youth Services
- Executive Office of Elder Affairs
- Executive Office of Environmental Affairs
- Executive Office of Public Safety
- Executive Office of Transportation and Construction
- Fisheries and Wildlife
- Massachusetts Emergency Management Agency

WBE BENCHMARKS

Chelsea Soldiers' Home
Department of Mental Health
Disabled Persons Protection Commission
Division of Capital Asset Management
Governor's Highway Safety Bureau
Massachusetts Commission for the Blind
Massachusetts Highway Department
Parole Board

The Following Departments Met Fiscal Year Benchmarks (Based on 2yr. Average)

MBE & WBE BENCHMARKS

Apprentice Training
Architectural Access Board
Board of Building Regulations and Standards
Committee on Criminal Justice
Division of Health Care Finance and Policy
Division of Occupational Safety
Environmental Management
Environmental Protection
Mass Office for Refugee and Immigrants
Mass. Commission for Deaf & Hard of Hearing
Metropolitan District Commission
Office of Consumer Affairs and Business Regulations
State Racing Commission
State Reclamation Board

MBE BENCHMARKS

Alcoholic Beverage Control Commission
Department of Corrections
Department of Education
Department of Mental Health
Executive Office
Military Division
Office on Disability
Registry of Motor Vehicles

WBE BENCHMARKS

Criminal Justice Training Council
Department of Fire Services
Department of Telecommunications & Energy
Department of Veterans' Services
Division of Banks
Division of Insurance
Division of Registration
Executive Office
Executive Office
Massachusetts Highway Department
Merit Rating Board

FISCAL YEAR 2000-2002

HISTORICAL SPENDING TREND BY SECRETARIAT

GOODS & SERVICES

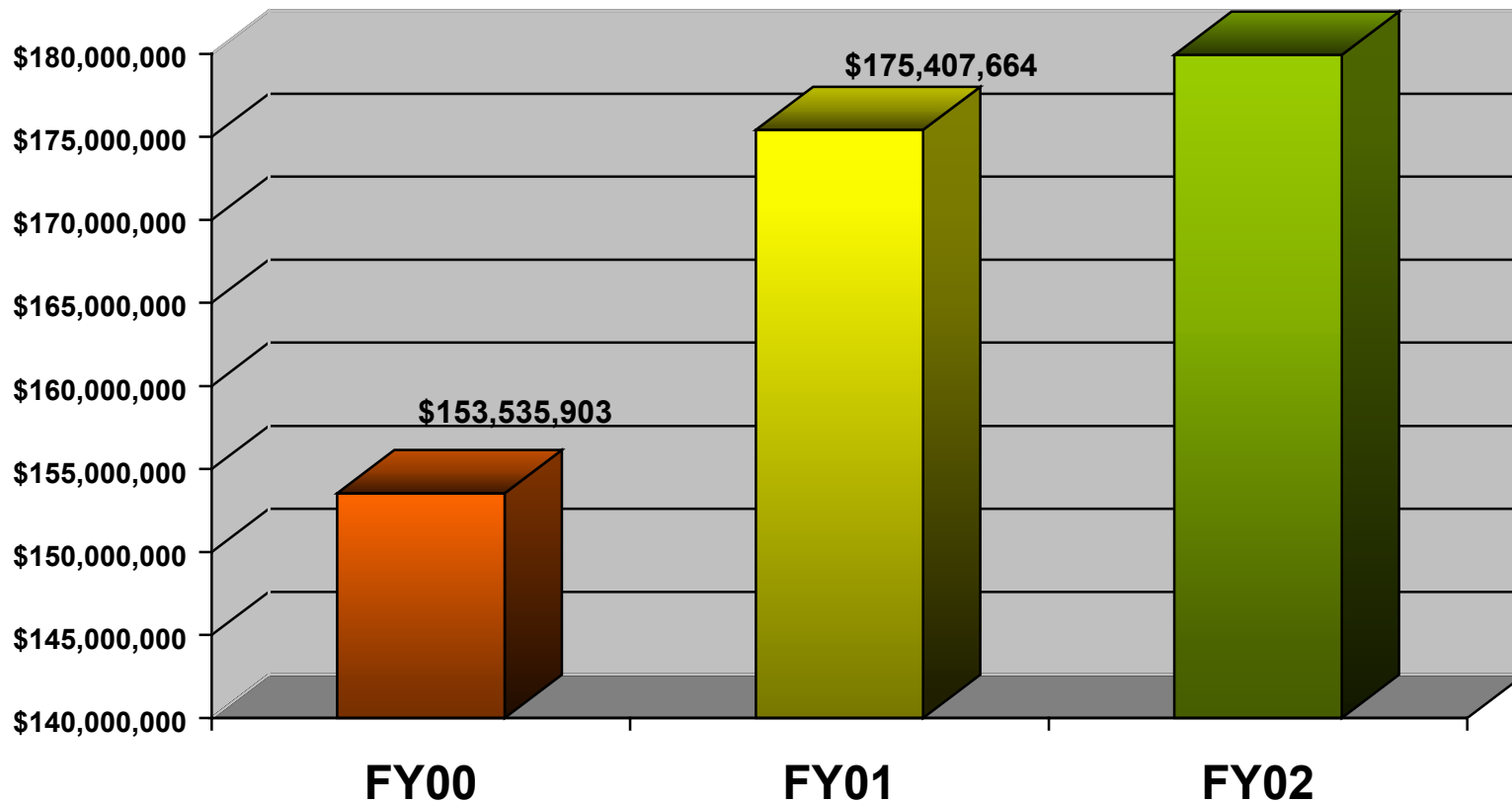
**HISTORICAL SPENDING TREND
GOODS & SERVICES
FY00-FY02**

MINORITY BUSINESS ENTERPRISES STATEWIDE EXPENDITURES			
	FY00	FY01	FY02
Office of the Governor	96,485	53,184	47,502
Executive Office for Administration & Finance	3,645,923	3,768,979	3,825,619
Executive Office of Elder Affairs	14,258,840	14,446,596	16,087,485
Executive Office of Environmental Affairs	1,213,558	1,417,227	2,539,163
Executive Office of Health and Human Services	112,870,154	142,676,673	145,174,402
Executive Office of Public Safety	5,330,051	6,245,766	5,906,239
Executive Office of Transportation and Construction (EOTC)	10,079,399	1,169,723	423,588*
Department of Economic Development	105,491	96,920	33,634
Department of Education	1,376,566	1,741,226	1,576,323
Department of Housing and Community Development	1,497,604	404,118	53,572
Department of Labor and Workforce Development	706,846	697,395	864,983
Office of Consumer Affairs and Business Regulations	307,472	375,153	263,120
MassHousing	2,047,515	2,314,702	1,188,899
Mass Turnpike Authority (MTA)	**	**	1,958,781
STATEWIDE TOTAL	153,535,903	175,407,664	179,943,310

*FY02 does not include MTA

**MTA Reported FY00 & FY01 as part of EOTC

3 Year AMP Statewide Trend
MBE Goods and Services Statewide Expenditures



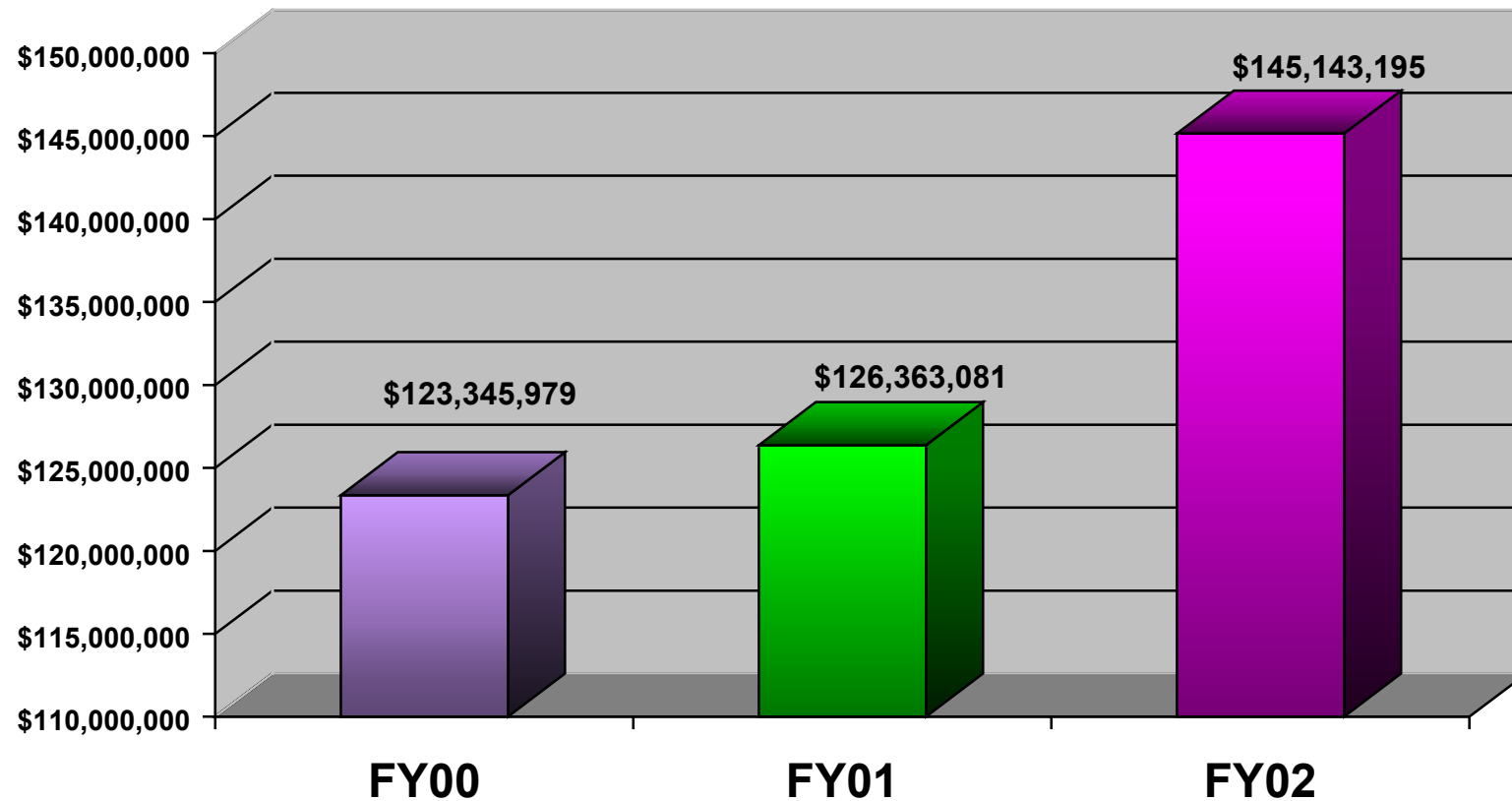
**HISTORICAL SPENDING TREND
GOODS & SERVICES
FY00-FY02**

WOMEN BUSINESS ENTERPRISES STATEWIDE EXPENDITURES			
	FY00	FY01	FY02
Office of the Governor	52,462	35,906	36,491
Executive Office for Administration & Finance	1,540,805	2,409,428	2,729,719
Executive Office of Elder Affairs	4,343,074	3,392,356	4,564,978
Executive Office of Environmental Affairs	1,470,832	1,716,633	3,347,092
Executive Office of Health and Human Services	95,624,166	104,581,044	120,873,471
Executive Office of Public Safety	3,937,082	4,754,599	4,441,652
Executive Office of Transportation and Construction	10,148,706	3,225,738	*1,585,273
Department of Economic Development	404,486	575,622	1,078,505
Department of Education	1,904,245	1,860,294	1,288,400
Department of Housing and Community Development	954,108	455,808	461,673
Department of Labor and Workforce Development	666,115	990,608	2,382,842
Office of Consumer Affairs and Business Regulations	409,522	263,808	337,081
MassHousing	1,890,376	2,101,235	1,160,481
Mass Turnpike Authority (MTA)	**	**	865,537
STATEWIDE TOTAL	123,345,979	126,363,081	145,153,195

*FY02 does not include MTA

**MTA Reported FY00 & FY01 as part of EOTC

3 Year AMP Statewide Trend WBE Goods & Services Statewide Expenditures



FISCAL YEAR 2000-2002

HISTORICAL SPENDING TREND

CONSTRUCTION & DESIGN

SUMMARY OF MBE EXPENDITURES & AWARDS

Historical Spending Trend for Construction and Design Expenditures Minority Business Enterprise

Division of Capital Asset Management and Maintenance

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	115,019,041	10,353,660	9.00%	15,807,018	1,306,076	8.26%
FY01	79,181,868	10,502,151	13.26%	21,870,893	1,425,101	6.52%
FY02	148,338,151	19,733,481	13.30%	12,436,601	2,020,208	16.24%

Department of Housing and Community Development

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	34,397,883	4,274,813	12.43%	5,739,535	2,154,251	37.53%
FY01	36,967,985	5,788,938	15.66%	6,018,044	2,166,496	36.00%
FY02	47,021,234	11,431,274	24.31%	7,654,619	2,003,761	26.18%

*Department of Environmental Management

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	5,809,305	629,474	10.84%	2,397,084	127,846	5.33%
FY01	7,991,678	575,637	7.20%	1,087,785	53,367	4.91%
FY02	-	-	!	-	-	-

*DEM did not report in FY02

*MassHousing

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	61,263,960	17,136,066	27.97%	17,148,795	16,974,836	99%
FY01	76,484,519	23,396,921	30.59%	22,308,641	19,044,149	85%
FY02	66,788,721	31,373,552	46.97%	25,065,427	21,311,997	85%

*Award dollars for Minority and Women Enterprises are counted in both Women and Minority Business categories.

Executive Office of Transportation & Construction

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00*	N/A	N/A	N/A	N/A	N/A	N/A
FY01**	140,031,878	29,849,637	0	8,855,782	2,311,038	0
FY02***	105,829,898	15,096,317	14.26%	9,091,586	1,296,394	14%

*FY00-Unable to provide state funded expenditures only

**FY01-Reporting only state funded expenditures

***FY02 Does not include Mass Turnpike Authority

Massachusetts Turnpike Authority

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY02	\$19,258,753.75	\$3,471,896.03	18.03%	\$467,831.26	\$0.00	0.00%

Combined Statewide Summary

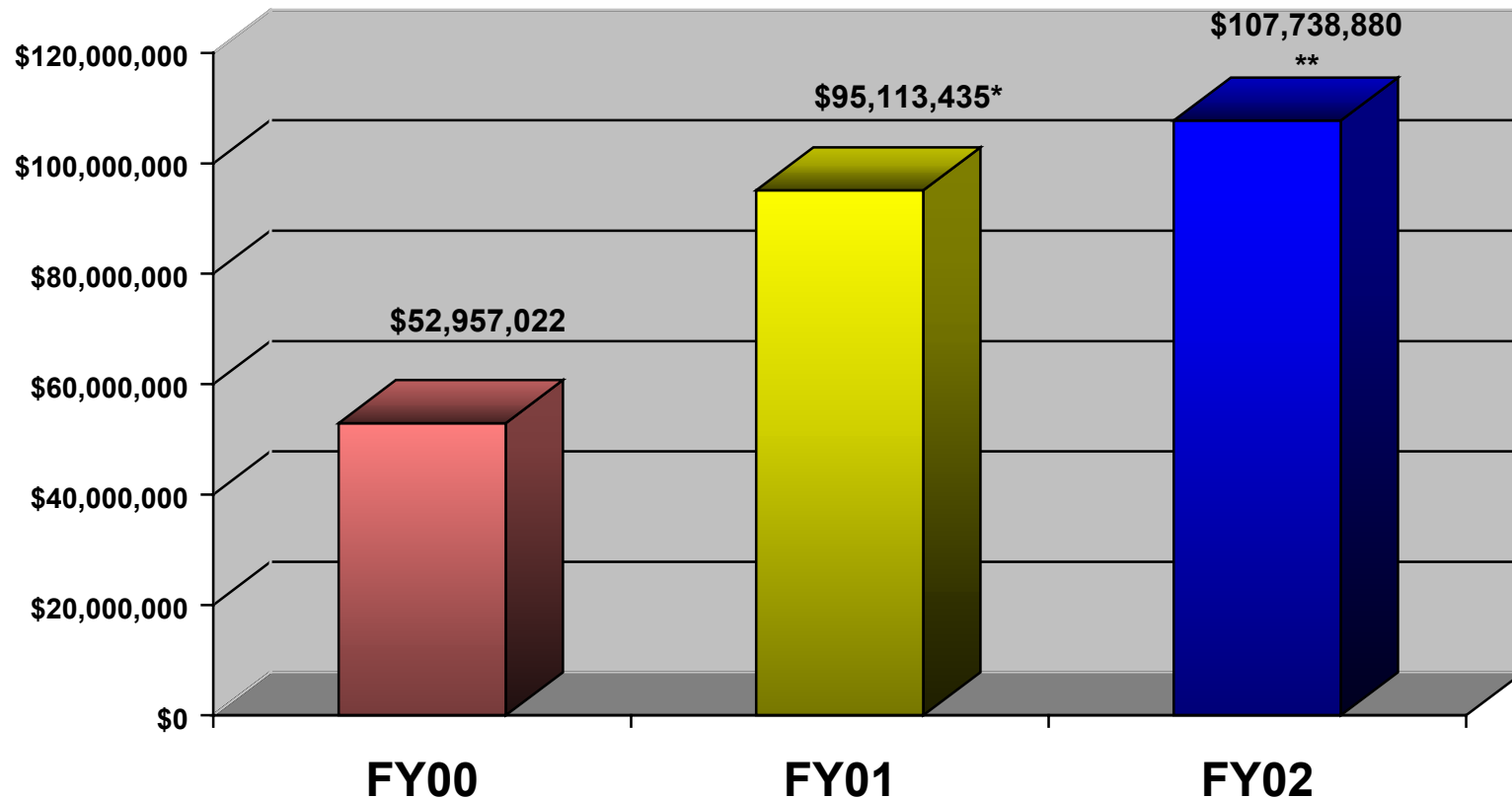
Includes:

Division of Capital Asset Management and Maintenance
Department of Housing and Community Development
Department of Environmental Management
Executive Office of Transportation and Construction
Massachusetts Turnpike Authority
MassHousing

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00*	216,490,189	32,394,013	14.96%	41,092,432	20,563,009	50.04%
FY01	340,657,928	70,113,284	20.58%	60,141,145	25,000,151	41.57%
FY02	238,898,607	81,106,520	33.95%	42,279,463	26,632,360	62.99%

*FY00 Totals do not include EOTC and Transportation Agency information.

MBE Construction and Design Statewide Expenditures



*Unable to provide EOTC's FY01 construction design expenditures in statewide totals because EOTC's data included combined M/WBE and DBE goals and expenditures.

**FY02 MASSPORT no longer participates in AMP and DEM did not report for this Fiscal Year.

Note: Prior to FY01 Construction and Design M/WBE Expenditures were combined with DBE Goals and Expenditures

Historical Spending Trend for Construction and Design Awards Minority Business Enterprise

Division of Capital Asset Management and Maintenance

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Awards	Awards	Attained		Awards	Attained
FY00	82,539,148	10,697,769	12.96%	15,442,175	2,226,061	14.42%
FY01	146,616,542	14,188,441	9.68%	9,504,975	1,223,968	12.88%
FY02	263,173,950	28,210,364	10.72%	12,328,382	2,549,043	20.68%

*Department of Environmental Management

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	5,809,305	629,474	10.84%	2,397,084	127,846	5.33%
FY01	7,991,678	575,637	7.20%	1,087,785	53,637	4.93%
FY02*						

*DEM did not report for FY02.

Department of Housing and Community Development

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Awards	Awards	Attained		Awards	Attained
FY00	30,170,319	3,226,318	10.69%	3,245,100	124,100	3.82%
FY01	53,137,000	11,090,515	20.87%	2,546,427	69,000	2.71%
FY02	17,987,500	3,748,049	20.84%	1,439,000	104,250	7.24%

*MassHousing

		CONSTRUCTION**			DESIGN***	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Awards	Awards	Attained		Expenditures	Attained
FY00	130,739,719	37,644,309	28.79%	19,852,611	17,028,435	85.77%
FY01	114,922,548	35,131,197	30.57%	25,187,021	20,646,026	81.97%
FY02	126,155,382	38,416,051	30.45%	26,882,591	22,049,421	82.02%

*Award dollars for Minority and Women Enterprises are counted in both Women and Minority Business categories.

**MassHousing Portfolio Construction Dollars Only

***MassHousing/HUD Demonstration Design Data Only

Executive Office of Transportation & Construction

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Awards	Awards	Attained		Awards	Attained
FY00*	N/A	N/A	N/A	N/A	N/A	N/A
FY01**	207,388,658	30,975,811	14.94%	38,665,969	3,500,000	9.05%
FY02***	256,421,684	22,364,278	8.72%	24,916,164	1,900,000	7.63%

*FY00-Unable to provide state funded expenditures only

**FY01-Reporting only state funded awards

***FY02-Reporting does not include Mass Turnpike Authority

Massachusetts Turnpike Authority

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Awards	Awards	Attained		Awards	Attained
FY02	\$2,392,414.10	\$626,639.88	26.19%	0	0	N/A

Combined Statewide Summary

Includes:

Division of Capital Asset Management and Maintenance
Department of Housing and Community Development
Department of Environmental Management
Executive Office of Transportation and Construction
Massachusetts Turnpike Authority
MassHousing

		CONSTRUCTION			DESIGN	
	Total	Total MBE	MBE %	Base	Total MBE	MBE %
	Awards	Awards	Attained		Awards	Attained
FY01*	522,064,748	91,385,964	17.50%	75,904,392	25,438,994	33.51%
FY01*	303,684,189	48,788,388	16.07%	53,237,755	24,053,671	45.18%
FY02	666,130,930	93,365,382	14.02%	65,566,137	26,602,714	40.57%

*FY00 Totals do not include EOTC and Transportation Agency information.

FISCAL YEAR 2000-2002

HISTORICAL SPENDING TREND

CONSTRUCTION & DESIGN

SUMMARY OF WBE EXPENDITURES & AWARDS

Historical Spending Trend for Construction and Design Expenditures Women Business Enterprise

Division of Capital Asset Management and Maintenance

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	115,019,041	4,684,386	4.07%	15,807,018	522,698	3.31%
FY01	79,181,868	4,656,303	5.88%	21,870,893	677,470	3.10%
FY02	148,338,151	12,727,746	8.58%	12,436,601	1,348,078	10.84%

Department of Housing and Community Development

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	34,397,883	3,252,879	9.46%	5,739,535	43,964	0.77%
FY01	36,967,985	3,291,100	8.90%	6,018,044	75,000	1.25%
FY02	66,788,721	7,125,788	10.67%	25,065,427	1,396,162	5.57%

*Department of Environmental Management

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	5,809,305	776,861	13.37%	2,397,084	78,012	3.25%
FY01	7,991,678	469,925	5.88%	1,087,785	44,820	4.12%
FY02	-	-				

*DEM did not report for FY02.

*MassHousing

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	61,263,960	6,193,886	10.11%	17,148,795	173,959	1.01%
FY01	76,484,519	10,870,119	14.21%	22,308,641	1,115,432	5.00%
FY02	66,788,721	7,125,788	10.67%	25,065,427	1,396,162	5.57%

*Award dollars for Minority and Women Enterprises are counted in both Women and Minority Business categories.

Executive Office of Transportation & Construction

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00*	N/A	N/A	N/A	N/A	N/A	N/A
FY01**	140,031,878	22,262,054	15.90%	8,855,782	349,381	3.95%
FY02***	105,829,898	8,042,437	7.60%	9,091,586	142,662	1.57%

*FY00-Unable to provide state funded expenditures only

**FY01-Reporting only state funded expenditures

***FY02 Does not include Mass Turnpike Authority

Mass Turnpike Authority

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY02	\$19,258,753.75	\$589,632.05	3.06%	\$467,831.26	\$11,269.68	2.41%

Combined Statewide Summary

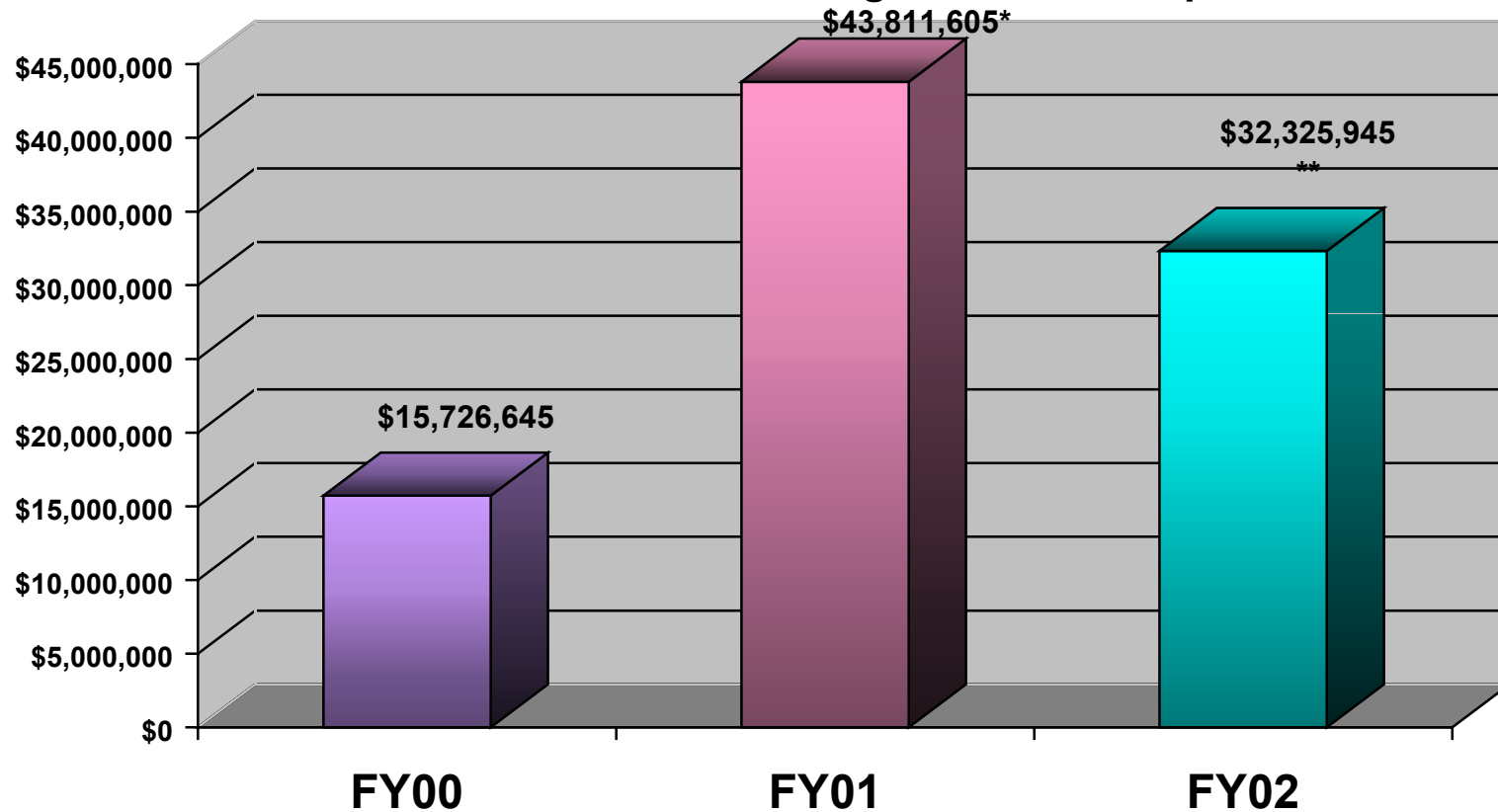
Includes:

Division of Capital Asset Management and Maintenance
 Department of Housing and Community Development
 Department of Environmental Management
 Executive Office of Transportation and Construction
 Massachusetts Turnpike Authority
 MassHousing

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00*	216,490,189	14,908,012	6.89%	41,092,432	818,633	1.99%
FY01	340,657,928	41,549,501	12.20%	60,141,145	2,262,103	3.76%
FY02	130,895,325	29,344,303	22.42%	15,109,630	2,981,642	19.73%

*FY00 Totals do not include EOTC and Transportation Agency information.

3 Year AMP Statewide Trend WBE Construction and Design Statewide Expenditures



*Unable to provide EOTC's FY01 construction design expenditures in statewide totals because EOTC's data included combined M/WBE and DBE Goals and Expenditures.

**MASSPORT no longer participates in AMP and DEM did not report for this Fiscal Year.

Note: Prior to FY01 Construction and Design M/WBE Expenditures were combined with DBE Goals and Expenditures.

Historical Spending Trend for Construction and Design Awards Women Business Enterprise

Division of Capital Asset Management and Maintenance

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Awards	Awards	Attained		Awards	Attained
FY00	82,539,148	3,480,911	4.22%	15,442,175	1,332,686	8.63%
FY01	146,616,542	6,933,363	4.73%	9,504,975	1,223,016	12.87%
FY02	263,173,950	30,588,470	11.62%	12,328,382	779,418	6.32%

Department of Housing and Community Development

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Awards	Awards	Attained		Awards	Attained
FY00	30,170,319	740,402	2.45%	3,245,100	298,000	9.18%
FY01	53,137,000	835,500	1.57%	2,546,427	345,000	13.55%
FY02	17,987,500	681,557	3.79%	1,439,000	120,250	8.36%

*Department of Environmental Management

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Expenditures	Expenditures	Attained		Expenditures	Attained
FY00	5,809,305	776,861	13.37%	2,397,084	78,012	3.25%
FY01	7,991,678	469,925	5.88%	1,087,785	44,820	4.12%
FY02						

*DEM did not report in FY02

MassHousing*

		CONSTRUCTION**			DESIGN***	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Awards	Awards	Attained		Awards	Attained
FY00	130,739,719	11,543,136	8.83%	19,852,611	673,049	3.39%
FY01	114,922,548	12,431,140	10.82%	25,187,021	1,211,944	4.81%
FY02	126,155,382	8,952,810	7.10%	26,882,591	1,609,721	5.99%

*Award dollars for Minority and Women Enterprises are counted in both Women and Minority Business categories.

** MassHousing Portfolio Construction Dollars Only

***MHFA/HUD Demonstration Disposition Program Design Data Only

Executive Office of Transportation & Construction

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Awards	Awards	Attained		Awards	Attained
FY00*	N/A	N/A	N/A	N/A	N/A	N/A
FY01**	207,388,658	22,513,248	10.86%	38,665,969	625,000	1.62%
FY02***	256,421,684	29,102,695	11.35%	24,916,164	0	0.00%

*FY00-Unable to provide state funded expenditures only

**FY01-Reporting only state funded awards

***FY02 Does not include Mass Turnpike Authority

Mass Turnpike Authority

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Awards	Awards	Attained		Awards	Attained
FY02	\$2,392,414.10	\$122,203.00	5.11%	0	0	N/A

Combined Statewide Summary

Includes:

Division of Capital Asset Management and Maintenance
 Department of Housing and Community Development
 Department of Environmental Management
 Executive Office of Transportation and Construction
 Massachusetts Turnpike Authority
 MassHousing

		CONSTRUCTION			DESIGN	
	Total	Total WBE	WBE %	Base	Total WBE	WBE %
	Awards	Awards	Attained		Awards	Attained
FY00*	243,449,186	15,764,449	6.48%	38,539,886	2,303,735	5.98%
FY01	522,064,748	42,713,251	8.18%	75,904,392	3,404,960	4.49%
FY02	666,130,930	69,447,735	10.43%	65,566,137	2,509,389	3.83%

*FY00 Totals do not include EOTC and Transportation Agency information and DEM did not report for this Fiscal Year.

FISCAL YEAR 2002

STATEWIDE EXPENDITURE SUMMARY

**GOODS
&
SERVICES**

**MINORITY BUSINESS ENTERPRISES
&
WOMEN BUSINESS ENTERPRISES**

FY02 MBE Final Numbers Minority Business Enterprise Goods & Services

FY02 STATEWIDE BENCHMARKS

	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- ContractorPaym ents	Total FY02 Expenditures	Variance
Executive Office of the Governor	278,869	74,834	(24,000)	50,834	47,502	-	47,502	(3,332)
Executive Office for Administration & Finance	163,483,450	3,816,142	(904,590)	2,911,552	3,289,103	536,516	3,825,619	914,067
Executive Office of Elder Affairs	224,769,264	14,352,718	200,000	14,552,718	13,705,478	2,382,007	16,087,485	1,534,767
Executive Office of Environmental Affairs	103,941,242	1,067,539	528	1,218,067	2,539,163	-	2,539,163	1,321,096
Executive Office of Health & Human Services	160,230,824	126,149,034	7,410,177	133,559,211	135,664,051	9,510,352	145,174,402	11,615,191
Executive Office of Public Safety	134,806,466	5,747,158	(485,791)	5,261,367	3,740,199	2,166,040	5,906,240	644,872
Executive Office of Transportation and Construction	10,592,808	863,704	200,600	1,064,304	423,588	-	423,588	(640,716)
Mass Turnpike Authority	26,600,000	399,427	114,117	513,544	1,958,781	-	1,958,781	1,445,237
Department of Consumer Affairs & Business Regulation	14,219,142	341,311	-	341,311	263,120	-	263,120	(78,191)
Department of Economic Development	10,491,918	101,206	(62,818)	38,388	29,760.56	3,874	33,634	(4,754)
Department of Education	80,922,715	1,558,896	-	1,558,896	1,576,323	-	1,576,323	17,427
Department of Housing and Community Development	8,316,676	2,179,101	(1,009,101)	1,170,000	53,572	-	53,572	(1,116,428)
Department of Labor and Workforce Development	187,415,525	702,121	28,884	731,005	864,983	-	864,983	133,978
Massachusetts Housing Finance Agency	8,316,676	2,179,101	(1,011,109)	1,170,000	1,188,899	-	1,188,899	18,899
TOTAL	3,601,106,330	159,624,689	4,456,897	164,233,594	165,344,523	14,598,788	179,943,311	15,709,717.24

FY02 WBE Final Numbers Women Business Enterprise Goods & Services

FY02 STATEWIDE BENCHMARKS

	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 WBE Benchmark	Final Expenditures	Sub-Contractor Payments	Total FY02 Expenditures	Variance
Executive Office of the Governor	278,869	44,184	(5,000)	39,184	36,491	-	36,491	(2,693)
Executive Office for Administration & Finance	163,483,450	1,979,192	(435,409)	1,543,783	2,620,711	109,008	2,729,719	1,185,936
Executive Office of Elder Affairs	224,769,264	3,867,715	-	3,867,715	130,604	4,434,374	4,564,978	697,263
Executive Office of Environmental Affairs	103,941,242	1,177,159	(34,624)	1,292,535	3,347,092	-	3,347,092	2,054,557
Executive Office of Health & Human Services	2,601,527,221	98,896,519	7,898,885	106,795,404	114,334,048	6,539,423	120,873,471	14,078,067
Executive Office of Public Safety	160,230,824	4,324,857	(180,157)	4,144,700	4,441,652	-	4,441,652	296,952
Executive Office of Transportation and Construction	10,592,808	1,401,445	(860,915)	540,530	1,585,273	-	1,585,273	1,044,743
Mass Turnpike Authority	26,600,000	636,039	181,718	817,757	865,537	-	865,537	47,780
Department of Consumer Affairs & Business Regulation	14,219,142	336,665	-	336,665	337,081	-	337,081	416
Department of Economic Development	10,491,918	490,054	(316,613)	173,441	1,076,511	1,994	1,078,505	905,064
Department of Education	80,922,715	1,882,270	94,114	1,976,384	1,288,400	-	1,288,400	(687,984)
Department of Housing and Community Development	8,316,676	1,967,247	(807,247)	1,160,000	461,673	-	461,673	(698,327)
Department of Labor and Workforce Development	187,415,525	828,362	34,645	863,007	2,381,854	988	2,382,842	1,519,835
Massachusetts Housing Finance Agency	8,316,676	1,967,247	(835,806)	1,160,000	1,160,481	-	1,160,481	481
TOTAL	3,601,106,330	119,865,862	4,598,472	124,642,893	132,990,897	11,085,787	145,153,195	20,510,302

FISCAL YEAR 2002

STATEWIDE SUMMARY

**CONSTRUCTION
&
DESIGN**

AFFIRMATIVE MARKET PROGRAM

FY02 CONSTRUCTION & DESIGN EXPENDITURES

FISCAL YEAR 2002 – CONSTRUCTION EXPENDITURES

STATEWIDE SUMMARY

FY02 CONSTRUCTION EXPENDITURES						
	1 FY02 Total Expenditures	2 FY02 M/WBE Benchmark	3 MBE Expenditures	4 WBE Expenditures	5 FY02 Expenditures (Col. 3+4)	6 VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	148,338,151	15,100,134	19,733,481	12,727,746	32,461,227	17,361,093
Department of Housing and Community Development	47,021,234	8,303,863	11,431,274	858,700	12,289,974	3,986,111
Department of Environmental Management*						
Executive Office of Transportation and Construction	105,829,898		15,096,317	8,042,437	23,138,754	23,138,754
Massachusetts Turnpike Authority	19,258,754	1,925,875	3,471,896	589,632	4,061,528	2,135,653
MassHousing**	66,788,721	23,264,345	31,373,552	7,125,788	38,499,340	15,234,995
TOTAL	238,898,607	33,494,083	61,373,039	16,616,557	77,989,596	44,495,513

*DEM did not report for FY02

**Please note: Expenditure dollars for Minority and Women Business Enterprises are counted in both Women and Minority Business categories.

FISCAL YEAR 2002 – DESIGN EXPENDITURES

STATEWIDE SUMMARY

FY02 DESIGN EXPENDITURES						
	1 FY02 Total Expenditures	2 FY02 M/WBE Benchmark	3 MBE Expenditures	4 WBE Expenditures	5 FY02 Expenditures (Col. 3+4)	6 VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	12,436,601	1,965,673	2,020,208	1,348,078	3,368,286	1,402,613
Department of Housing and Community Development	7,654,619	2,219,801	2,003,761	83,470	2,087,231	(132,570)
Department of Environmental Management						
Executive Office of Transportation and Construction	9,091,586		1,296,394	142,662	1,439,056	1,439,056
Massachusetts Turnpike Authority	467,831	46,783	-	11,270	11,270	(35,513)
MassHousing*	25,065,427	10,026,170	21,311,997	1,396,162	22,708,159	12,681,989
TOTAL	42,279,463	12,292,754	24,612,152	1,633,564	26,245,716	13,952,962

*DEM did not report for FY02

**Please note: Expenditure dollars for Minority and Women Business Enterprises are counted in both Women and Minority Business categories.

AFFIRMATIVE MARKET PROGRAM FY02 CONSTRUCTION & DESIGN AWARDS

FISCAL YEAR 2002 – CONSTRUCTION AWARDS

STATEWIDE SUMMARY

FY02 CONSTRUCTION AWARDS						
	1 FY02 Total Expenditures	2 FY02 M/WBE Benchmark	3 MBE Expenditures	4 WBE Expenditures	5 FY02 Expenditures (Col. 3+4)	6 VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	263,173,950	17,650,242	28,210,364	30,588,470	58,798,834	41,148,592
Department of Housing and Community Development	17,987,500	2,766,751	3,748,049	681,557	4,429,606	1,662,855
Department of Environmental Management*						
Executive Office of Transportation and Construction	256,421,684		22,364,278	29,102,695	51,466,973	51,466,973
Massachusetts Turnpike Authority	2,392,414	239,241	626,640	122,203	748,843	509,601
MassHousing**	126,155,382	39,345,841	38,416,051	8,952,810	47,368,861	8,023,020
TOTAL	402,956,980	42,351,833	65,155,018	38,859,265	104,014,283	61,662,449

*DEM did not report for FY02

**Please note: Expenditure dollars for Minority and Women Business Enterprises are counted in both Women and Minority Business categories.

FISCAL YEAR 2002 – DESIGN AWARDS

STATEWIDE SUMMARY

FY02 DESIGN AWARDS						
	1 FY02 Total Expenditures	2 FY02 M/WBE Benchmark	3 MBE Expenditures	4 WBE Expenditures	5 FY02 Expenditures (Col. 3+4)	6 VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	12,328,382	3,002,866	2,549,043	779,418	3,328,461	325,595
Department of Housing and Community Development	1,439,000	418,000	104,250	120,250	224,500	(193,500)
Department of Environmental Management*						
Executive Office of Transportation and Construction	24,916,164		1,900,000	-	1,900,000	1,900,000
Massachusetts Turnpike Authority	-	-	-	-	-	-
MassHousing**	26,882,591	10,753,036	22,049,421	1,609,721	23,659,142	12,906,106
TOTAL	53,237,755	11,171,036	24,053,671	1,729,971	0	14,612,606

*DEM did not report for FY02

**Please note: Expenditure dollars for Minority Women Business Enterprises are counted in both Women and Minority Business categories.

FISCAL YEAR 2002

SECRETARIAT NARRATIVES & DATA SUMMARY

Note:

The following narratives are developed by each Secretariat. They are intended to highlight the progress made to date with the implementation of the Affirmative Market Program and provide further insight into their FY02 expenditures with Minority- and Women Business Enterprises (M/WBEs).

OFFICE OF THE GOVERNOR (GOV)

Mission

The Executive Office includes the Offices of the Governor, the Lieutenant Governor; the Governor's Council, the Governor's Commission on Mental Retardation, and the Office of Commonwealth Security. The Executive Office manages the operations of the Executive Branch of state government, coordinates the activities of all Executive Branch agencies, and communicates to the General Court and the general public the aims, objectives, and accomplishments of the Swift Administration. The Office develops, oversees, and guides key Administration initiatives through to completion.

FY02 MBE Narrative

We narrowly missed our FY02 Benchmark of \$50,834. Due to budget cuts and the Governor's spending directives, our office experienced a dramatic decrease in overall discretionary spending, including furniture purchases and airfare, two areas which in the past have accounted for a significant portion of our MBE spending. Additionally, FY02 spending was atypical, as we had a number of vacancies (including Lt. Governor) for half the year, with a commensurate decrease in general discretionary overhead spending.

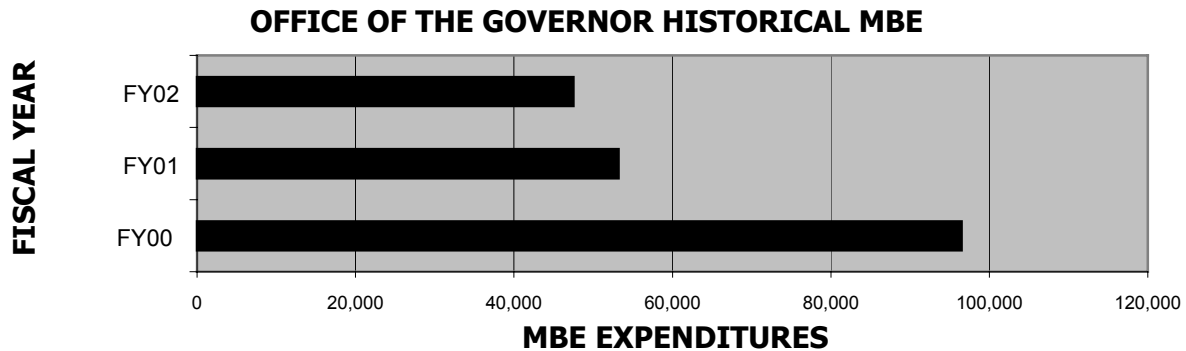
Our primary MBE Vendors are OT&T Travel Management, New England Office Supply, and CAM Office Services.

FY02 WBE Narrative

We also narrowly missed our WBE spending FY02 Benchmark of \$39,184 for many of the same reasons outlined above.

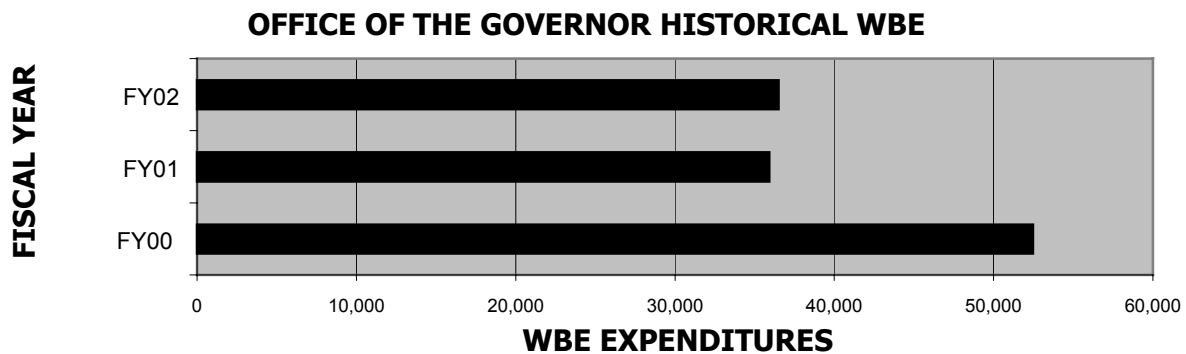
**Office of the Governor
Historical Spending Trend Minority Business Enterprise (MBE)**

OFFICE OF THE GOVERNOR			
	FY00	FY01	FY02
Office of the Governor	96,484	53,183	47,501
TOTAL	96,484	53,183	47,501



**Office of the Governor
Historical Spending Trend Women Business Enterprise (WBE)**

OFFICE OF THE GOVERNOR			
	FY00	FY01	FY02
Office of the Governor	52,462	35,906	36,491
TOTAL	52,462	35,906	36,491



**OFFICE OF THE GOVERNOR
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE OFFICE OF THE GOVERNOR								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Office of the Governor	278,869	74,834	(24,000)	50,834	47,502		47,502	(3,332)
TOTAL	278,869	74,834	(24,000)	50,834	47,502		47,502	(3,332)

WOMEN BUSINESS ENTERPRISE OFFICE OF THE GOVERNOR								
	FY02	2Yr (00/01)	FY02	FY02 WBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Office of the Governor	278,869	44,184	(5,000)	39,184	36,491	-	36,491	(2,693)
TOTAL	278,869	44,184	(5,000)	39,184	36,491	-	36,491	(2,693)

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE (ANF)

Message from the Secretary

As Secretary of the Executive Office for Administration and Finance, I remain committed to the mission and objectives of Executive Order 390 and the Affirmative Market Program. During these difficult fiscal times it is of utmost importance that we continue to develop and foster business relationships with our minority- and women-owned businesses, as they are the backbone of our economy. With this in mind, I will ensure that the Operational Services Division, which currently houses the AMP, continues to encourage the use of M/WBEs on statewide contracts. To that end, we look forward to implementing new and innovative initiatives aimed at encouraging the full participation of Minority and Women Business Enterprises in all aspects of state contracting. I am confident that we will continue to provide economic development, technical assistance, and equal access opportunities to the Commonwealth's certified vendor community.

Kevin J. Sullivan
Secretary

Mission

The Executive Office for Administration and Finance oversees the fiscal and administrative activities of the Executive Branch of state government. The Executive Office ensures the financial stability of state government by managing balanced operating and capital budgets.

Through its four administrative services divisions, (Information Technology Division, Fiscal Affairs Division, Operational Services Division, and the Human Resources Division), the Office of the Secretary enables line agencies to focus their energy on program development and delivering quality services to the Commonwealth. To that end, the Office provides line agencies with centralized expertise and processing in the technical support areas of information technology, fiscal policy, procurement, and human resources.

Other major functional areas and the supervision of the Office of the Secretary are: tax collection, child support enforcement, support to local municipalities, group insurance evaluation, state facilities construction, management and maintenance, and veteran services.

Also located within the Office of the Secretary, in FY02, was the Central Business Office (CBO). The CBO provided central administrative services to Administration and Finance agencies, allowing those agencies to focus more resources on their specific core service delivery areas.

The Central Business Office (CBO) supported agencies are as follows:

Executive Office for Administration and Finance
Developmental Disabilities Council
Administrative Law Appeals
Appellate Tax Board
Bureau of State Office Buildings
Civil Service Commission
Massachusetts Commission Against Discrimination
Fiscal Affairs Division
George Fingold Library
Human Resources Division
Information Technology Division

Mass Office for Dispute Resolution
Mass Office on Disability
Operational Services Division

In addition to these departments, the following departments report to the Secretary of Administration and Finance:

Group Insurance Division
Department of Revenue
Department of Veteran Services
Massachusetts Teachers Retirement Board
Office of State Comptroller
Division of Capital Asset Management & Maintenance
Disabled Person's Protection Commission
Public Employee Retirement Administration Commission
Teacher's Retirement Board

In FY02, the Central Business Office continued to work to spend discretionary dollars with certified M/WBE vendors. In fact, the CBO worked in conjunction with its customer agencies to ensure the benchmarks that were established were realistic and attainable in a year of tight budgets. This proactive approach helped our agencies to increase spending with certified M/WBEs this year.

FY02 MBE Narrative

During FY02 fourteen out of the fifteen agencies served by the Central Business Office did a remarkable job in reaching their established benchmarks. Again, as in previous years the spending by these ANF agencies was primarily on office supply procurements. Every year since FY99 these agencies have continued to modestly increase the use of MBEs. This has been a very challenging year for all state agencies with many reductions in budgets. However, the FY02 MBE spending increased by a significant \$151,680 from FY01.

FY02 WBE Narrative

Although the agencies served by the Central Business Office have very limited budgets FY02 was a very successful year for WBEs. The business conducted with WBEs is primarily on office supply procurements. In FY02, 100% of the customer agencies exceeded their benchmarks. As in past years, the WBE that is most widely used by administration and finance agencies for office supplies is New England Office Supply (NEOS). Expenditures to this one company equaled 35% of all our WBE expenditures.

Accomplishment and Initiatives

Bureau of State Office Buildings

The Bureau of State Office Buildings completed its fourth year of a major contract with UNICCO Service Company. This contract includes AMP language that has formed a business partnership with a woman owned business, J&R Cleaning Service (JRCS). The resulting mentor/protégé partnership has enabled JRCS to gain further knowledge and awareness of practices and procedures for effective management in their industry. The focus has been on the professional development of this small business. The various branches most helpful to JRCS included the hazardous materials training, sexual harassment training, bloodborne pathogen training as well as approaching and interacting with employees and proper approaches to maintenance. The mentoring program has also made JRCS aware of various security issues including creating identification cards for employees, background checks, and extensive tracking forms. The program has worked so well that the janitorial services companies, JRCS and Unicco, are able

to work together as one. This partnership has given JRCS a sense of total ownership and the opportunity to attain ambitious goals and be the leaders of tomorrow.

In FY2002, \$584,956 or 30% of the UNICCO contract was subcontracted to JRCS.

Information Technology Division

ITD expended 59% of its certified MBE expenditures with Adroit Systems Consulting and 22% with Adroit Software Consulting. Both of the consulting contracts supported the HRCMS project, which has ended. Twelve percent of ITD's MBE expenditures were with GA Blanco. GA Blanco provides ITD with blank tapes and assorted IT related supplies. ITD will continue to seek out certified MBE resources for new and existing projects.

ITD was able to exceed the certified WBE benchmark by 62%. This was due in part to utilizing the WBE consultant Eliassen Group, Inc. The Eliassen Group was contracted for the E-Pay, HRCMS and the Central Business Directory Projects. These IT projects allowed us to seek out a greater Women Business Enterprise presence in FY02. Although, two of the three projects were completed, ITD will continue to do business with Eliassen in FY03.

In addition 25% of funds expended at ITD for WBE's was with Compuworks. Compuworks provided the necessary training for the MassMail project in FY 02. ITD will continue to use Compuworks for additional MassMail training in FY 03.

Massachusetts Commission Against Discrimination

The Massachusetts Commission Against Discrimination exceeded its certified WBE benchmark due to the reconfiguration of the Boston office. The MCAD expended 67% of its total WBE expenditures with NEOS to furnish the office. However, this is a one-time cost that will not occur next year.

Human Resources Division

The Human Resources Division exceeded its certified WBE benchmark by 66%. HRD did this by actively outreaching WBE vendors as mandated by Executive Order 390. WBE contractors were well represented in the areas of IT and supplies. Such vendors included: Atlantic Graphic Services, Data Care Corp, Farrington Associates and New England Office Supply.

Public Employee Retirement Administration Commission

FY 01 and FY02 were successful years for the Public Employee Retirement Administration. PERA exceeded the benchmarks for both MBE and WBE spending.

In FY 02 PERA was successful in exceeding its proposed benchmark for Minority-Owned Businesses by 20.13%. The FY 02 target was \$15,403. Actual Minority Business Enterprise spending totaled \$18,504.

PERA has exceeded the FY 02 Women-Owned Business Enterprise benchmark by 49.19%. The WBE target was \$15,405. Actual spending for FY 02 totaled \$22,982.

Disabled Persons Protection Commission

Approximately 90% of appropriated funds are used solely for investigations, oversight and the necessary support staff to allow The Disabled Persons Protection Commission (DAC) to comply with its mission statement of protecting adults with disabilities from abuse by their caretakers. After non-discretionary spending is deducted from the remaining funds, a small percentage is available for spending with certified M/WBE vendors. Most of the available funds were used to fund such expenditures with Minority-

Owned Businesses and Women Business Enterprises (M/WBEs) including laser toner cartridges, general office supplies, and recycling service vendors.

DAC was not able to attain its FY02 benchmarks as a result of the impact of budgetary cuts and increases in non-discretionary expenditures. DAC has taken a more realistic approach in establishing its FY03 benchmarks, which include spending levels that should more accurately reflect the current fiscal position of the Commonwealth.

In summation, funds that were earmarked for M/WBEs were diverted to other object codes and/or subsidiaries in order to satisfy non-discretionary obligations that were beyond the Commission's control and vital to the Commission's ability to protect adults with disabilities from abuse by their caretakers.

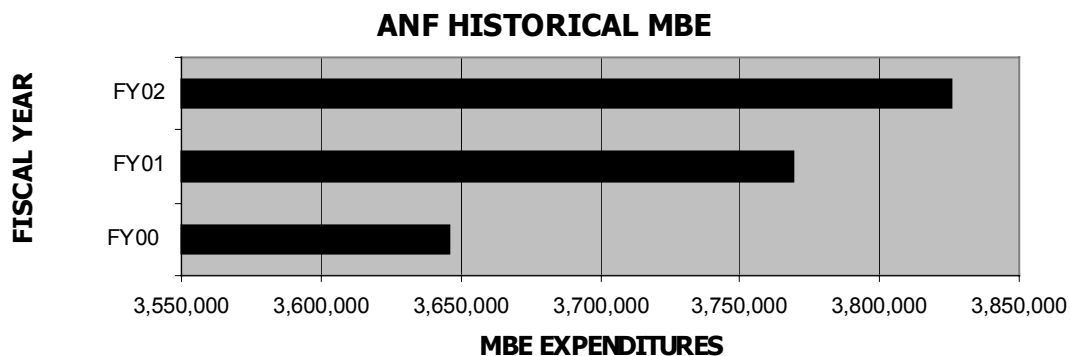
The Commission actively supports Executive Order 390 and the necessary staff is in place to ensure that M/WBEs are utilized whenever possible in making purchasing decisions. Realizing the importance of Executive Order 390, the Commission will continue to utilize M/WBEs as funding allows.

FY02 Comments on the Affirmative Market Program

The Central Business Office will not serve all the agencies it has served over the past five years. Due to budget constraints, the CBO's functions have changed which includes the oversight of the Affirmative Market Program for the agencies it services. In FY03, each agency will retain its own Affirmative Market Program Coordinator.

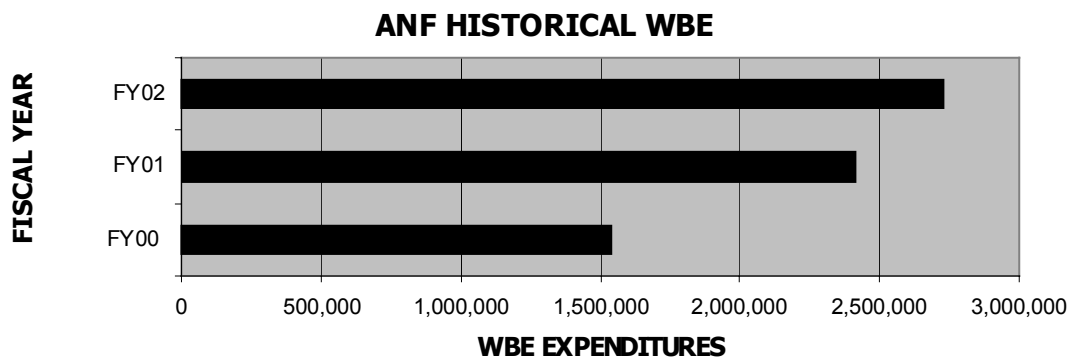
Executive Office for Administration and Finance
Historical Spending Trend-Minority Business Enterprises (MBEs)

	FY00	FY01	FY02
Executive Office	156,355	14,267	8,094
Administering Agency for Developmental Disabilities	5,197	10,649	8,550
Administrative Law Appeals	1,678	1,555	488
Appellate Tax Board	13,281	6,927	3,505
Bureau of State Office Buildings	360,864	98,398	552,776
Central Business Office	4,345	13,026	2,346
Civil Service Commission	4,015	7,520	5,654
Commission Against Discrimination	55,324	49,583	124,444
Department of Revenue	1,339,045	1,071,061	717,829
Department of Veterans' Services	554,188	652,399	589,231
Disabled Persons Protection Commission	19,327	11,405	24,652
Division of Capital Asset Management and Maintenance	116,342	266,764	144,926
Fiscal Affairs Division	13,174	12,773	10,160
George Fingold Library	4,576	4,944	3,675
Group Insurance Commission	197,254	114,596	114,840
Human Resource Division	58,175	105,879	179,821
Information Technology Division	205,593	588,429	928,291
Office of Dispute Resolution	4,810	28,980	3,654
Office of the State Comptroller	81,565	107,326	71,343
Office on Disability	2,549	2,742	4,906
Operational Services Division	304,395	321,899	63,436
Public Employee Retirement Administration Com	17,943	19,363	18,504
Teacher's Retirement Board	125,929	258,493	244,494
TOTAL	3,645,923	3,768,979	3,825,619



Executive Office for Administration and Finance
Historical Spending Trend-Women Business Enterprises (WBEs)

	FY00	FY01	FY02
Executive Office	10,084	9,710	2,822
Administering Agency for Developmental Disabilities	3,776	16,262	4,493
Administrative Law Appeals	795	1,555	488
Appellate Tax Board	12,039	4,551	3,170
Bureau of State Office Buildings	3,445	168,301	8,758
Central Business Office	3,571	11,034	3,799
Civil Service Commission	3,661	16,920	3,924
Commission Against Discrimination	12,211	12,755	50,714
Department of Revenue	711,199	943,551	1,090,258
Department of Veterans' Services	5,501	30,875	45,491
Disabled Persons Protection Commission	14,705	18,573	37,547
Division of Capital Asset Management and Maintenance	11,120	12,169	57,097
Fiscal Affairs Division	11,188	8,512	6,328
George Fingold Library	5,209	3,324	3,707
Group Insurance Commission	43,528	26,800	60,946
Human Resource Division	321,844	377,157	282,899
Information Technology Division	165,307	482,026	832,240
Office of Dispute Resolution	4,350	19,693	4,968
Office of the State Comptroller	121,868	114,239	114,414
Office on Disability	2,982	3,042	4,573
Operational Services Division	40,268	76,172	56,413
Public Employee Retirement Administration Com	15,555	22,055	22,983
Teacher's Retirement Board	16,599	30,151	31,686
TOTAL	1,540,805	2,409,428	2,729,719



**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Executive Office	65,311	85,311	(79,000)	6,311	8,094		8,094	1,783
Administering Agency for Developmental Disabilities	1,313,770	7,923	(925)	6,998	8,550		8,550	1,552
Administrative Law Appeals	64,747	1,616	(1,347.00)	269	488		488	219
Appellate Tax Board	372,094	10,104	(7,784)	2,320	3,505		3,505	1,185
Bureau of State Office Buildings	5,596,703	229,631	237,688	467,319	72,228	480,548	552,776	85,457
Central Business Office	29,400	8,686	(7,229.00)	1,457	2,346		2,346	889
Civil Service Commission	22,508	5,768	(3,825)	1,943	5,654		5,654	3,711
Commission Against Discrimination	829,374	52,454	33,627	86,081	124,444		124,444	38,363
Department of Revenue	67,338,731	1,205,053	(802,527)	402,526	717,830		717,829	315,303
Department of Veterans' Services	25,928,681	603,293	90,000	693,293	589,231		589,231	(104,062)
Disabled Persons Protection Commission	378,611	15,366	11,657	27,023	24,652		24,652	(2,371)
Division of Capital Asset Management and Maintenance	4,281,845	191,553	0	191,553.00	144,926		144,926	(46,627)
Fiscal Affairs Division	154,745	12,974	(8,165)	4,809	10,160		10,160	5,351
George Fingold Library	364,508	4,760	(3,025.00)	1,735	3,675		3,675	1,940
Group Insurance Commission	2,546,005	155,925	(41,925)	114,000.00	114,840		114,840	840
Human Resource Division	3,350,686	213,861	(113,976)	99,885	179,821		179,821	79,936
Information Technology Division	40,705,347	373,868	23,634.00	397,502	928,291		928,291	530,789
Office of Dispute Resolution	85,120	16,895	(14,500.00)	2,395.00	3,654		3,654	1,259
Office of the State Comptroller	2,606,227	94,445	-	94,445	15,375	55,968	71,343	(23,102)
Office on Disability	104,004	2,645	-	2,645	4,906		4,906	2,261
Operational Services Division	5,161,849	313,147	(280,000)	33,147	63,436		63,436	30,289
Public Employee Retirement Adm. Comm.	1,136,500	18,653	(3,250)	15,403	18,504		18,504	3,101
Teacher's Retirement Board*	1,046,684	192,211	66,282.00	258,493	244,493.83		244,494	(13,999)
TOTAL	163,483,450	3,816,142	(904,590)	2,911,552	3,289,103.42	536,516	3,825,619	914,067

*Teacher's Retirement Board did not submit FY'02 MBE Benchmarks.

**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

WOMEN BUSINESS ENTERPRISE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Executive Office	65,311	13,163	(11,000)	2,163	2,822	-	2,822	659
Administering Agency for Developmental Disabilities	1,313,770	10,019	(7,728)	2,291	4,493	-	4,493	2,202
Administrative Law Appeals	64,747	1,175	(906)	269	488	-	488	219
Appellate Tax Board	372,094	8,295	(6,156)	2,139	3,170	-	3,170	1,031
Bureau of State Office Buildings	5,596,703	85,873	(82,562)	3,311	8,758	-	8,758	5,447
Central Business Office	29,400	7,303	(5,846)	1,457	3,799	-	3,799	2,342
Civil Service Commission	22,508	10,290	(8,558)	1,732	3,924	-	3,924	2,192
Commission Against Discrimination	829,374	12,483	27,169	39,652	50,714	-	50,714	11,062
Department of Revenue	67,338,731	827,375	(310,242)	517,133	1,090,258	-	1,090,258	573,125
Department of Veterans' Services	25,928,681	18,188	-	18,188	45,491	-	45,491	27,303
Disabled Persons Protection Commission	378,611	16,639	8,073	24,712	37,548	-	37,547	12,835
Division of Capital Asset Management and Maintenance	4,281,845	11,645	11,645	23,290	57,097	-	57,097	33,807
Fiscal Affairs Division	154,745	9,850	(7,433)	2,417	6,328	-	6,328	3,911
George Fingold Library	364,508	5,076	(2,849)	2,227	3,707	-	3,707	1,480
Group Insurance Commission	2,546,005	35,164	5,000	40,164	60,946	-	60,946	20,782
Human Resources Division	3,350,686	349,500	(179,679)	169,821	282,899	-	282,899	113,078
Information Technology Division	40,705,347	323,667	167,202	490,869	832,240	-	832,240	341,371
Office of Dispute Resolution	85,120	12,022	(11,300)	722	4,968	-	4,968	4,246
Office of the State Comptroller	2,606,227	118,053	-	118,053	5,406	109,008	114,414	(3,639)
Office on Disability	104,004	3,012	(150)	2,862	4,573	-	4,573	1,711
Operational Services Division	5,161,849	58,220	(25,000)	33,220	56,413	-	56,413	23,193
Public Employee Retirement Adm. Comm.	1,136,500	18,805	(3,400)	15,405	22,983	-	22,983	7,578
Teacher's Retirement Board*	1,046,684	23,375	8,311	31,686	31,686.00	-	31,686	-
TOTAL	163,483,450	1,979,192	(435,409)	1,543,783	2,620,710.87	109,008	2,729,719	1,185,936

*Teacher's Retirement Board did not submit FY02 MBE Benchmarks

OPERATIONAL SERVICES DIVISION (OSD)

The Operational Services Division (OSD) is an oversight agency whose primary role is to coordinate the procurement activity for commodities and services, for the Commonwealth. The emphasis is on teaming with customers, enhancing service delivery, providing technical assistance and facilitating procurements. To successfully accomplish the coordination of procurements, OSD formed cross-functional Procurement Management Teams (PMTs) with departments to share in the responsibility for creating and monitoring best value contracts for commodities and services.

In FY'02, the Affirmative Market Program joined OSD and has become an integral part of the organization. It seemed more appropriate to have the AMP Program at OSD, which will better serve the needs of the program, state departments, other public and quasi-public agencies. Additionally, it gives the AMP Program the opportunity to interact with Procurement Team Leaders, participate on Procurement Management Teams, provide input to procurement policy and have a direct link to the State Purchasing Agent.

Mission

To administer a procurement process designed to satisfy our customers, defined as a state department or other governmental entity, and ultimately the public, by acquiring goods and services at the best value in a timely and efficient manner.

• FY'2002 Statewide Contracts Highlights

- In Fiscal Year 2002 there were a total of **115** WBE statewide contracts.
- In Fiscal Year 2002 there were a total of **129** MBE statewide contracts.
- In Fiscal Year 2002 there was a total of **12** M/WBE statewide sub-contractors.
- OSD is firmly committed to the Affirmative Market Program (AMP). To that end, OSD has designated the Deputy Purchasing Agent for Procurement and Specialized Services to work directly with the AMP Director to address and where practical, to facilitate the needs and concerns of the Affirmative Market Program in trying to meet their goals.

Accomplishments

- We have developed a **methodology to capture subcontractor payments from statewide contracts**. This will provide a mechanism to credit departments for using M/WBE subcontractors, tracking expenditures that will provide the ability to capture subcontracting payments, meet AMP benchmarks, and ensure contract compliance of subcontractor commitments while increase inclusion of M/WBEs on statewide contracts.
- AMP has facilitated the identity of SOMBWA certified M/WBE's on the statewide contract list by prime and sub-contractor participation. This allows users the ability to have easier access when researching M/WBE's on statewide contracts for achieving AMP fiscal year benchmarks.
- On November 20, 2002, the AMP developed language for all RFRs and revised RFR Specifications that outlines new guidelines and procedures to assist departments in increasing M/WBE activity and expenditures for all types of contracts for meeting fiscal year benchmarks.

- The State Purchasing Agent and Deputy are both active members of the AMP Business Advisory Board. AMP has built a relationship with this board comprised of certified small businesses, with the purpose of getting feedback from the M/WBE business community and encouraging their input for maximizing M/WBE participation in the statewide contracting process, which also includes, business to business mentoring, surveys and outreach initiatives.
- AMP has assisted in three AMP Procurement Workshops designed to provide tools, information and guidance to certified vendors interested in doing business with state agencies. Thus far we have trained 200 certified vendors in the public procurement process.
- The AMP is working closely with the Quality Assurance (QA) Unit at OSD to include objectives and performance measures as outlined in Executive Order 390. When our QA Team does a department site visit they have prepared an AMP check-off list to ensure compliance with AMP mandates.
- The AMP web-site was transferred under the OSD web-site in the migration to the mass.gov portal. We have redesigned and improved the AMP web-site for easier accessibility and to provide our end users with the most updated information available.
- The AMP created a "How to do Business with the Commonwealth of Massachusetts" guide for AMP participants. This guide is posted and available to download off of the AMP web-site.

DIVISION OF CAPITAL ASSET MANGMENT AND MAINTENANCE (DCAM)

Message from the Commissioner

I am pleased to present the report on minority and women business participation in design and construction projects by the Division of Capital Asset Management and Maintenance (DCAM) for Fiscal Year 2002. During Fiscal Year 2002 DCAM exceeded its minority and women goals for participation in both design awards and expenditures and construction awards and expenditures. DCAM has a long-standing history of providing opportunities for meaningful participation by minority and women owned business in its design and construction projects. The agency remains committed to continuing its leadership role in this area by ensuring the inclusion of minority and women businesses on agency projects so that the public dollars spent on the Commonwealth's construction projects are available to be shared by all its citizens. DCAM also works with minority and women-owned businesses and organizations to provide the information they need in order to participate in public construction projects.

David B. Perini
Commissioner

Mission

The mission of the Division of Capital Asset Management and Maintenance (DCAM) is to serve the citizens of the Commonwealth by providing public-building construction and real estate services to state agencies. DCAM's scope of services includes planning, design, construction, capital repairs and improvements, contractor certification and compliance, leasing and asset management. Formerly known as the Division of Capital Planning and Operations (DCPO), the agency was created in 1980 as part of the Ward Commission reforms. DCAM fulfills its mission by working in close collaboration with its state agency clients to support their needs and objectives and does so in accordance with the highest professional and technical standards.

A Longstanding Commitment to M/WBE Participation

DCAM has included provisions for both MBE and WBE participation in its construction contracts for 20 years. Most of the M/WBE participation on DCAM projects is provided by M/WBE subcontractors in part because the numerous subcontracting firms on any given construction project provide the majority of hands-on construction services and in part because state law requires public entities to award construction contracts to the lowest eligible and responsible general bidder. Under Executive Order 237, DCAM included MBE participation goals in its design contracts, which account for most of DCAM's service contract spending. Under Executive Order 390, DCAM added WBE participation goals to its design contracts and now has provisions for both MBE and WBE participation in its design contracts.

In addition to the Executive Orders, DCAM is subject to statutory requirements concerning M/WBE participation in construction contracts. General Laws Chapter 7, Section 40N established goals of 5% MBE participation and 5% WBE participation on capital facilities projects awarded by DCAM, subject, however, to reduction or waiver where the size, nature or location of a project makes achieving such a level of MBE or WBE participation unfeasible. In 1996, DCAM commissioned a disparity study to determine the extent to which racial and gender discrimination had limited the participation of M/WBEs in building construction projects of the type undertaken by DCAM; to assess the availability of M/WBEs to perform DCAM projects; and to provide guidance to DCAM in establishing goals for M/WBE participation on DCAM projects. Based on the results of the disparity study, and pursuant to Executive Order 390, Chapter 7, and relevant U.S. Supreme Court decisions, DCAM established goals of 7.4% for MBE participation and 4% for WBE participation on its construction projects. Goals of 8% for MBE participation and 4% for WBE participation were established on all design contracts. All M/WBE design and construction goals are subject to reduction or waiver based upon project specific circumstances.

At DCAM achieving contract M/WBE goals is a priority. Prior to the award of contracts with goals, contractors and designers submit a schedule of M/WBE participation showing that the applicable M/WBE goals for the contract will be met. Once the project is underway, DCAM closely monitors the contractor's performance and works with contractors to ensure that the M/WBE participation goals are reached or exceeded and that all M/WBE subcontractors perform the work for which they are paid. DCAM's compliance officers, engineers, project managers, and legal staff all participate in this effort. In the occasional instances in which M/WBE participation goals have not been met and circumstances warrant agency action, the agency can and does assess monetary damages against the contractor or designer and may pursue other legal avenues as well.

Expanded Outreach to MBEs and WBEs

DCAM remains committed to creating opportunities for MBEs and WBEs to work on state construction and design projects. In November 2001, DCAM held a seminar specifically designed to better inform M/WBE design and engineering firms about the selection and bidding procedures used on DCAM design projects. That seminar was attended by over 50 people representing over 40 firms, and DCAM continues to provide them with information about upcoming design project opportunities. As part of the agency's outreach efforts, DCAM Compliance staff served as panelists for M/WBE vendor workshops coordinated by the Commonwealth's Affirmative Market Program and for other design and construction related educational seminars. For FY03 DCAM plans to continue its M/WBE education and outreach programs.

FY02 MBE Narrative

In FY02 over 79 MBE construction and design firms participated on DCAM projects. DCAM awarded 36 new contracts for construction and renovation projects in FY02. MBEs were scheduled to receive \$28,210,364 on these projects, accounting for 10.72% of the total construction contract dollars awarded to construction general contractors. The following are some of the construction contracts and subcontracts awarded to MBEs in FY02:

MBE Firm	Project	Contract	Value
Handford General Contractor, Inc.	U-Mass Amherst Graduate Research	General Contract	\$3,204,000
Titan Roofing, Inc.	Barnstable County Jail	Roofing	\$850,000
EAN Corporation	New Boston Pre-Release Center	Concrete	\$711,075
Scott Insulation Co., Inc.	Historic Renovation Suffolk County Court	HVAC Insulation Plumbing Insulation	\$585,000 \$123,800
A.C.T. Abatement Co.	Historic Renovation Suffolk County Court	Abatement	\$650,000

In FY02 payments made to MBE construction contractors and subcontractors (under both contracts that were newly awarded in FY02 and contracts that extended into FY02 but were awarded in prior years) were also substantial. MBEs on DCAM construction projects received payments totaling \$19,733,481 in FY02, exceeding project goals significantly¹.

With respect to design, during FY02 DCAM awarded 32 new design contracts. MBE designers and subconsultants were scheduled to receive \$2,549,043, accounting for 20.68% of the total design

¹ Payments to M/WBE subcontractors are reported to DCAM quarterly by the prime contractor and designer on each contract. DCAM's M/WBE payment data is based on the information available to DCAM at the time that its fiscal year reports are compiled. Many DCAM projects are performed over several fiscal years. Therefore, a portion of M/WBE payments reported by general contractors and prime design firms in FY02 are for projects awarded during prior fiscal years.

contract dollars awarded in FY02. Payments to MBE designers and subconsultants on new FY02 contracts and existing contracts extending into FY02 totaled \$2,020,208, significantly exceeding project goals.

FY02 WBE Narrative

In FY02 over 78 WBE construction and design firms participated on DCAM projects. WBEs were scheduled to receive \$30,588,470 of the construction contract dollars awarded by DCAM in FY02, accounting for 11.62% of the total value of construction contract awards. The following are some of the subcontracts awarded to WBEs in FY02:

WBE Firm	Project	Contract	Value
Muckle & Associates, Inc.	Historic Renovation Suffolk County Court	Millwork	\$13,600,000
Stafford Construction	Historic Renovation Suffolk County Court	Drywall & Plaster	\$7,100,000
J.F. Shine Mechanical, Inc.	Historic Renovation Suffolk County Court	Plumbing	\$2,866,200
The Plouffe Corporation	U-Mass Amherst Computer Science	Concrete	\$790,000
Heckman Masonry Corp.	New Boston Pre-Release Center	Masonry	\$421,000

In FY02 WBEs on DCAM construction projects received payments totaling \$12,727,746. The payments to WBEs reflect the significant participation of WBEs in DCAM projects underway in FY 02, exceeding project goals significantly.

On design projects awarded in FY02 WBE designers and subconsultants were scheduled to receive payments totaling \$779,418, accounting for 6.32% of the total design contract dollars awarded. Payments to WBE designers and subconsultants on new FY02 contracts and existing contracts extending into FY02 totaled \$1,348,078, significantly exceeding the project goals.

DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE (DCAM)

CONSTRUCTION & DESIGN

**DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN EXPENDITURES**

DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE						
FY02 CONSTRUCTION EXPENDITURES						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 Expenditures (Col. 3+4)	VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	148,338,151	15,100,134	19,733,481	12,727,746	32,461,227	17,361,093
TOTAL	148,338,151	15,100,134	19,733,481	12,727,746	32,461,227	17,361,093

DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE						
FY02 DESIGN EXPENDITURES						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 Expenditures (Col. 3+4)	VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	12,436,601	1,965,673	2,020,208	1,348,078	3,368,286	1,402,613
TOTAL	12,436,601	1,965,673	2,020,208	1,348,078	3,368,286	1,402,613

**DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN AWARDS**

DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE						
FY02 CONSTRUCTION AWARDS						
	1	2	3	4	5	6
	FY02 Total AWARDS	FY02 M/WBE Benchmark	MBE AWARDS	WBE AWARDS	FY02 AWARDS (Col. 3+4)	VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	263,173,950	17,650,242	28,210,364	30,588,470	58,798,834	41,148,592
TOTAL	263,173,950	17,650,242	28,210,364	30,588,470	58,798,834	41,148,592

DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE						
FY02 DESIGN AWARDS						
	1	2	3	4	5	6
	FY02 Total AWARDS	FY02 M/WBE Benchmark	MBE AWARDS	WBE AWARDS	FY02 AWARDS (Col. 3+4)	VARIANCE (Col. 5-2)
Division of Capital Asset Management and Maintenance	12,328,382	3,002,866	2,549,043	779,418	3,328,461	325,595
TOTAL	12,328,382	3,002,866	2,549,043	779,418	3,328,461	325,595

EXECUTIVE OFFICE OF ELDER AFFAIRS (ELD)

Message from the Secretary

The community-based programs for elders managed by the Executive Office of Elder Affairs have always included significant participation by minority- and women-owned businesses and non-profit organizations. The future expansion and evolution of these community-based programs to meet the needs of our growing elderly population will provide even further opportunities for minority- and women-owned businesses and non-profit organizations. Elder Affairs is committed to providing these opportunities in FY 2003 and beyond through the Affirmative Market Program established by Executive Order 390.

Jennifer Davis Carey
Secretary

Mission Statement

The mission of the Executive Office of Elder Affairs is to promote the dignity, independence and rights of Massachusetts's elders, and to support their families, through advocacy and the development and management of programs and services. The agency administers its community-based programs and services primarily through a network of local Councils on Aging and nutrition projects, regional home care corporations known as Aging Services Access Points and with the assistance of thousands of dedicated volunteers across the Commonwealth.

FY02 MBE Narrative

FY 2002 was the first full year of the new Prescription Advantage Plan, the nation's first state-funded prescription drug insurance plan for seniors and low-income disabled people. Among the procurement opportunities that arose from Prescription Advantage was one for outreach to limited-English-speaking populations; one certified MBE vendor, Spanish American Union, was awarded one of the three contracts for this purpose.

Most of Elder Affairs' budget continues to be expended through non-profit organizations and municipal Councils on Aging for community-based services to elders, especially to frail, low-income elders who need assistance to continue to live safely in their own homes. Of the \$305 million Elder Affairs expended in FY 02, \$224 million—over 73%—went for grants and contracts to provide such services. Elder Affairs' continuing high level of MBE expenditures in FY 02—6% of total spending—reflects the continued importance of minority vendors in the Home Care program and related community-based services for frail elders. Central Boston Elder Services, a minority non-profit organization, is one of the largest of the state's 27 Aging Services Access Points (ASAPs), which manage the Home Care, Respite Care, Managed Care in Housing, Enhanced Community Options, and Chronic Care Enhanced Services programs at the local level and coordinate community-based long-term care to help elders remain safely at home and avoid costly and less preferred institutional care.

ASAPs serve as prime contractors for the community-based long-term care programs funded by Elder Affairs, subcontracting with service providers to meet the needs of elderly clients as identified in the ASAPs' case management and service planning processes. Minority vendors continue to provide these subcontracted services as well. Two of the state's largest providers of homemaker and personal care services (the most frequently used Home Care services) are certified minority vendors. Elder Affairs' FY 02 report reflects \$2.4 million in subcontracted expenditures in addition to direct expenditures for services, about 15% of total MBE spending.

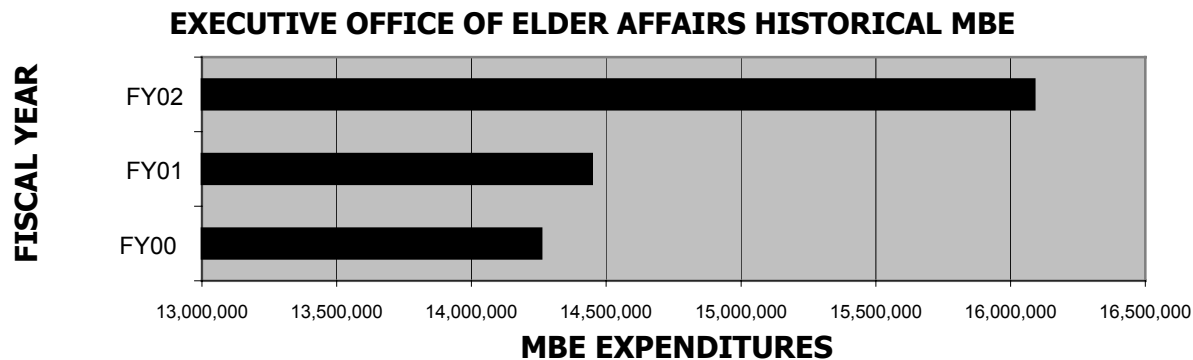
Elder Affairs' discretionary spending for operations is a very small fraction of our total budget, but we continue to use minority vendors wherever possible for operational purchases. In FY 02, over 5% of Elder Affairs' expenditures for administrative expenses and equipment was with MBEs.

FY02 WBE Narrative

WBEs as well as MBEs are well represented among providers of homemaker and personal care services to frail elders, with \$4.4 million in spending reported with WBE subcontractors, about 97% of Elder Affairs' total WBE spending. Three WBE subcontractors are also MBEs; \$2.1 million in spending with these three subcontractors is reported in both categories.

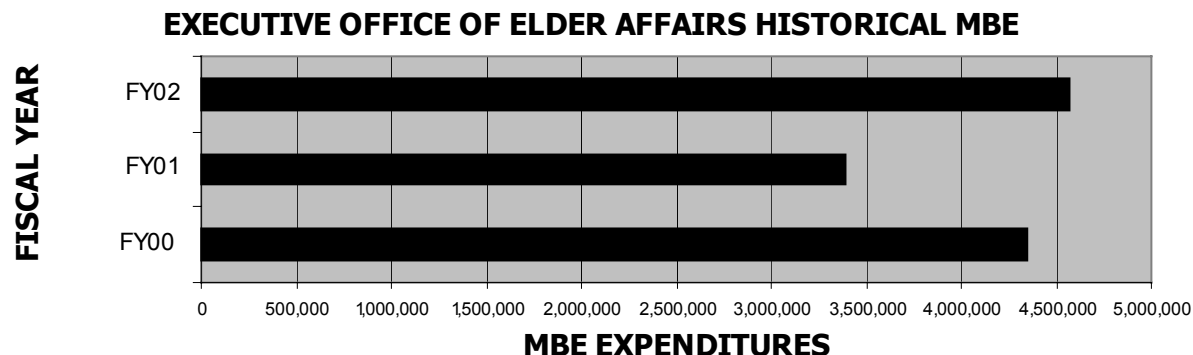
Executive Office of Elder Affairs Historical Spending Trend Minority Business Enterprise (MBE)

EXECUTIVE OFFICE OF ELDER AFFAIRS			
	FY00	FY01	FY02
Executive Office of Elder Affairs	14,258,840	14,446,596	16,087,485
TOTAL	14,258,840	14,446,596	16,087,485



Historical Spending Trend Women Business Enterprise (WBE)

EXECUTIVE OFFICE OF ELDER AFFAIRS			
	FY00	FY01	FY02
Executive Office of Elder Affairs	4,343,074	3,392,356	4,564,978
TOTAL	4,343,074	3,392,356	4,564,978



**EXECUTIVE OFFICE OF ELDER AFFAIRS
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE EXECUTIVE OFFICE OF ELDER AFFAIRS								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Executive Office of Elder Affairs	224,769,264	14,352,718	200,000	14,552,718	13,705,478	2,382,007	16,087,485	1,534,767
TOTAL	224,769,264	14,352,718	200,000	14,552,718	13,705,478	2,382,007	16,087,485	1,534,767

WOMEN BUSINESS ENTERPRISE EXECUTIVE OFFICE OF ELDER AFFAIRS								
	FY02	2Yr (00/01)	FY02	FY02 WBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Executive Office of Elder Affairs	224,769,264	3,867,715	-	3,867,715	130,604	4,434,374	4,564,978	697,263
TOTAL	224,769,264	3,867,715	-	3,867,715	130,604	4,434,374	4,564,978	697,263

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS (EOEA)

Please note: The EOEa did not submit a narrative nor construction and design expenditures for FY02. However, the AMP received the following narrative contribution from one of its agencies, the Massachusetts Department of Environmental Protection.

Massachusetts Department of Environmental Protection (DEP)

Mission

The Massachusetts Department of Environmental Protection is a state agency responsible for protecting human health and the environment by ensuring clean air and water, the safe management and disposal of solid and hazardous wastes, the timely cleanup of hazardous waste sites and spills, and the preservation of wetlands and coastal resources. DEP is one of five agencies under the Executive Office of Environmental Affairs. DEP's role under Article 97 of the Massachusetts Constitution is the guarantor of the people's right to "clean air and water", as well as "the natural scenic, historic and aesthetic qualities of the environment.

MBE Narrative

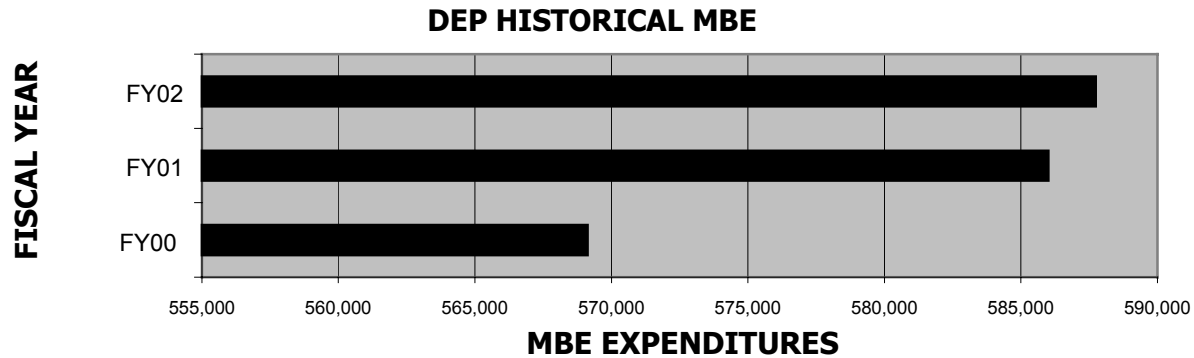
Through continued outreach to contractors and AMP Training provided by the Operational Services Division, the DEP is pleased to report that it has surpassed its own MBE AMP benchmark of \$577, 568, by \$10,173 or a total of \$587,741. In addition, DEP instituted a monitoring device called Procurement Plan, which requires all units to report their progress on the AMP on a quarterly basis. This helps managers to view their progress throughout the fiscal year, thus assisting them in reaching their individual goals. With these tools in place, DEP has assured their success into the future.

WBE Narrative

For the fourth year in a row DEP has exceeded its WBE AMP benchmark of \$290,161 by \$44,477, or total of \$334,638 in total expenditures. DEP will continue to reach out to Women-Owned Businesses and keep all the Commonwealth's business communities aware of contracting opportunities as we strengthen our Affirmative Market Programs and assist in developing business relationships.

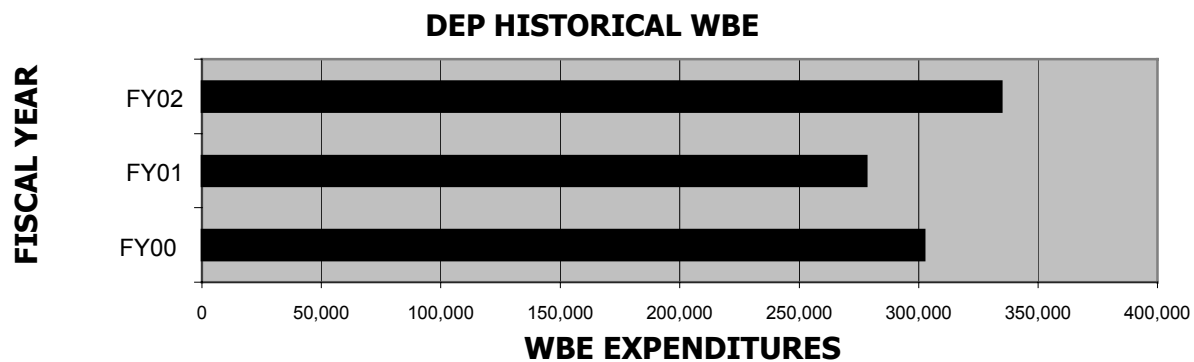
Historical Spending Trend Minority Business Enterprise (MBE)

	FY00	FY01	FY02
Department of Environmental Protection	569,124	586,011	587,741
TOTAL	569,124	586,011	587,741



DEPARTMENT OF ENVIRONMENTAL PROTECTION Historical Spending Trend Women Business Enterprise (WBE)

	FY00	FY01	FY02
Department of Environmental Protection	302,255	278,068	334,638
TOTAL	302,255	278,068	334,638



EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES (EOHHS)

Message from the Secretary

The Executive Office of Health and Human Services and its agencies are responsible for the provision of health and human services to the citizens of the Commonwealth. I am pleased that EOHHS and its agencies have, as a group, consistently exceeded our benchmarks for expenditures with SOMWBA certified minority and women owned businesses. We will continue to support a diverse provider network by seeking ways to continually exceed our benchmarks.

Ronald P. Preston
Secretary

Mission Statement

The Executive Office of Health and Human Services (EOHHS) oversees essential health, social, disability, childcare, and juvenile crime prevention programs for residents of the Commonwealth and employs 26,000 staff. EOHHS and its agencies provide services through state operated programs, contracts with private organizations, and direct benefit payments. This Secretariat, the largest in the Governor's cabinet, includes a total of fifteen departments, and leads the way in expenditures with Minority and Women owned businesses.

Minority Business Spending

During this fiscal year Secretariat agencies have continued to improve their Minority Business Enterprise (MBE) expenditures, which totaled \$145,174,402, exceeding our spending benchmarks (\$133,559,211), set according to Executive Order 390, by \$11,615,191. Our FY 2002 MBE expenditures represent 81% of all MBE expenditures for goods and services for the Commonwealth's executive branch.

Twelve agencies exceeded, and in some cases, doubled their MBE benchmarks: the Executive Office (EOHHS), the Department of Mental Health (DMH), the Department of Mental Retardation (DMR), the Division of Medical Assistance (DMA), the Department of Transitional Assistance (DTA), the Department of Social Services (DSS), the Department of Youth Services (DYS), the Division of Health Care Finance and Policy (HCFP), the Massachusetts Rehabilitation Commission (MRC), the Massachusetts Office for Refugees and Immigrants (ORI), the Office for Child Care Services (OCCS) and the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH).

Women Business Spending

This was our fourth year of systematically and actively outreaching to Women Business Enterprises (WBE's) and setting parallel benchmarks to those of MBE's, as mandated by Executive Order 390. We spent \$120,873,471 on WBE's, exceeding our benchmark (\$106,799,404) by \$14,074,067. This represents 74% of the executive branch expenditures with WBE's in goods and services.

Thirteen agencies either met or increased their WBE benchmarks: the Executive Office (EOHHS), the Department of Mental Health (DMH), the Department of Mental Retardation (DMR), the Department of Social Services (DSS), the Massachusetts Office for Refugees and Immigrants (ORI), the Department of Transitional Assistance (DTA), the Division of Medical Assistance (DMA), the Chelsea Soldiers' Home (SHC), the Massachusetts Commission for the Blind (MCB), the Massachusetts Rehabilitation Commission (MRC), the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH), the Division of Health Care Finance and Policy (HCFP) and the Office for Child Care Services (OCCS).

Accomplishments and Initiatives

Executive Order 390 promotes equality in the public sector market place and seeks to enhance the participation of minority and women owned businesses in that market place. EO-390 establishes a yearly dollar goal as a benchmark for the department's contract expenditure with minority and women owned businesses. EOHHS and its agencies have, as a group, consistently exceeded their benchmarks.

EOHHS and its agencies had combined expenditures with Minority Business Enterprises and Women Business Enterprises totaling \$266,047,873, which reflects an increase of \$25,689,258. The majority of these expenditures fall under the category of purchased health and human services. Our combined expenditures represent 80% of the total spent in the executive branch for goods and services.

Our agencies have more than tripled our combined M/WBE purchases in the last seven fiscal years by taking innovative and aggressive steps to reflect the communities we serve through their outreach to health and human service providers.

We have highlighted the activities of several agencies that typify all our efforts, successes and concerns:

The Department of Transitional Assistance (DTA)

In FY02, DTA expended \$11,542,595 with Community Service Network to provide services including hotel recruitment, placement and monitoring. Community Service Network interacted with representatives from DTA's Central Office, local Transitional Assistance Offices, the Follow-up Outreach Referral Program (F.O.R. Families) which operates under the Department of Public Health, and the Multi Agency Action Team (MAAT) members to ensure that homeless families were placed in motels when shelter space was not available.

The DTA's Affirmative Marketing Program Coordinator consistently keeps DTA management updated on any current and upcoming changes that directly or indirectly relate to the program by way of informational packages, OSD updates and pertinent updates from the monthly AMP meetings. The AMP Coordinator and department managers are active participants at networking conferences, vendor fairs, subcommittees and forums that enhance the Commonwealth's commitment to increasing minority and women business opportunities.

DTA recognizes the Commonwealth's efforts to promote and support a diverse provider network and to the best of DTA's ability, all efforts are made to ensure that women and minority-owned businesses are taken into consideration when making purchasing decisions. The Department will work with its managers to ensure that AMP language, which encourages M/WBE participation, is included in all procurements

The Department of Mental Health (DMH) and the Department of Mental Retardation (DMR)

DMH and DMR continue to combine efforts to encourage health and human service providers serving both agencies' consumers to seek SOMWBA certification as MBE's or WBE's. There are a limited number of providers in any geographic area and most are not for profit entities. The process of self-examination required by a board of directors exploring the possibility of becoming SOMWBA certification is helpful in providing that board a better insight into the community it serves and in reflecting that community in its membership.

The Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH)

MCDHH exceeded benchmarks for both MBE spending and WBE spending in Fiscal Year 2002 by roughly 50%.

MCDHH has very little true discretionary funding available to it, and this discretionary money is likely to decrease further in FY'03. Further, MCDHH's MBE and WBE spending is concentrated into a very small number of vendors. Virtually all of these vendors hold statewide contracts negotiated by Operational Services Division (OSD).

One of MCDHH's major MBE/WBE vendors is New England Office Supply (NEOS), one of approximately three vendors on the statewide office supplies contract. A second major WBE vendor is Kyran Research Associates, on the ITS07 statewide contract for information technology consulting services. MCDHH's future Affirmative Market Program performance thus depends heavily on OSD's continuing identification of MBE/WBE vendors in the specific statewide contracts which it uses heavily.

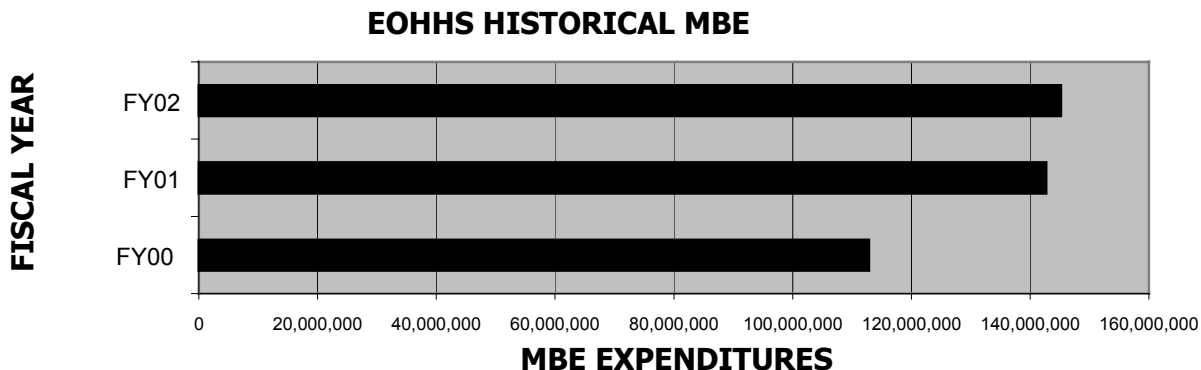
Our greatest challenge will be to implement the new AMP language in our contracts and continue to increase MBE and WBE spending in these challenging financial times.

Department Overviews

As represented in the following tables, EOHHS agencies continue to increase spending with MBE's and WBE's.

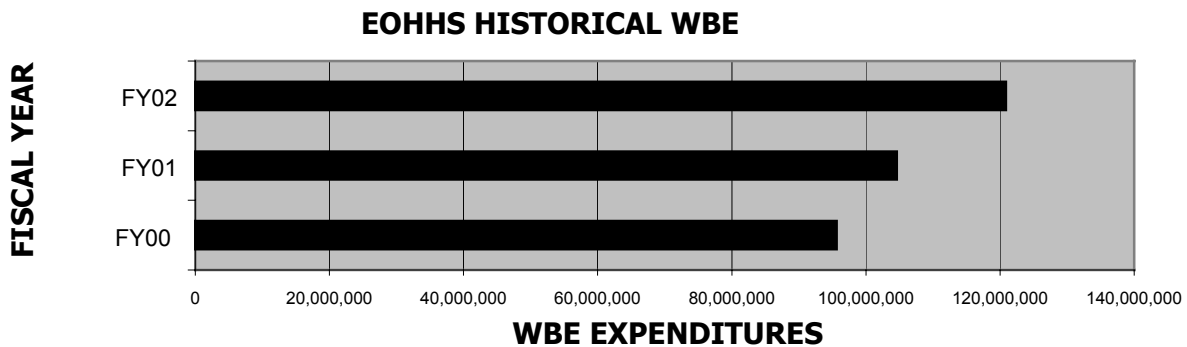
**Executive Office of Health and Human Services
Historical Spending Trend-Minority Business Enterprises (MBEs)**

	FY00	FY01	FY02
Executive Office	46,782	194,158	570,062
Chelsea Soldiers Home	162,164	270,982	199,607
Department of Medical Assistance	375,308	300,831	432,768
Department of Mental Health	18,472,209	18,317,219	18,695,352
Department of Mental Retardation	11,095,315	22,356,851	22,784,417
Department of Public Health	31,978,562	32,154,505	27,377,908
Department of Social Services	13,069,276	15,544,078	17,807,621
Department of Transitional Assistance	5,206,076	7,017,588	9,414,736
Department of Youth Services	2,093,934	4,176,169	4,316,883
Health Care Finance & Policy	77,941	103,996	125,832
Holyoke Soldiers' Home	98,254	245,407	711,845
Massachusetts Commission for the Blind	91,220	239,314	70,442
Massachusetts Commission For Deaf & Hard of Hearing	95,242	37,390	95,991
Massachusetts Rehabilitation Commission	1,265,914	1,473,473	464,447
Office for Child Care Services	27,491,467	39,534,789	1,788,722
Office for Refugees and Immigrants	1,250,490	709,924	40,317,768
TOTAL	112,870,154	142,676,673	145,174,402



**Executive Office of Health and Human Services
Historical Spending Trend-Women Business Enterprises (WBEs)**

	FY00	FY01	FY02
Executive Office	54,852	22,133	73,149
Chelsea Soldiers Home	45,223	6,353	93,557
Department of Medical Assistance	362,339	443,274	683,243
Department of Mental Health	25,619,474	28,390,030	27,870,103
Department of Mental Retardation	33,273,880	30,582,060	34,174,340
Department of Public Health	9,579,567	8,623,001	8,149,266
Department of Social Services	10,686,092	12,240,791	12,619,113
Department of Transitional Assistance	3,937,517	6,612,039	15,432,534
Department of Youth Services	582,295	530,596	536,079
Health Care Finance & Policy	43,177	35,724	143,503
Holyoke Soldiers' Home	14,715	31,331	15,106
Massachusetts Commission for the Blind	129,570	97,894	433,097
Massachusetts Commission For Deaf & Hard of Hearing	57,418	449,055	178,724
Massachusetts Rehabilitation Commission	8,016	10,005	4,231
Office for Child Care Services	1,277,670	1,492,863	2,215,293
Office for Refugees and Immigrants	9,952,362	15,013,897	18,252,132
TOTAL	95,624,166	104,581,044	120,873,471



**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES								
	FY02 Disc. Base	2Yr (00/01 Average)	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Executive Office	4,778,572	120,470	12,047	132,517	570,062	-	570,062	437,545
Chelsea's Soldiers Home	5,406,465	216,573	-	216,573	199,607	-	199,607	(16,966)
Department of Medical Assistance	66,092,902	338,070	33,807	371,877	271,915	160,852.89	432,768	60,891
Department of Mental Health	371,711,070	18,272,896	-	18,272,896	18,189,651	505,701	18,695,352	422,456
Department of Mental Retardation	686,409,904	15,395,352	1,200,000	16,595,352	22,784,417	-	22,784,417	6,189,065
Department of Public Health	372,071,708	32,066,533	1,603,326	33,669,859	27,377,908	-	27,377,908	(6,291,951)
Department of Social Services	510,310,377	14,306,677	3,191,111	17,497,788	17,807,620	-	17,807,621	309,833
Department of Transitional Assistance	189,166,248	6,111,832	916,775	7,028,607	9,414,736	-	9,414,736	2,386,130
Department of Youth Services	92,027,379	3,135,051	134,807	3,269,858	4,316,883	-	4,316,883	1,047,025
Division of Health Care Finance and Policy	2,481,714	90,969	-	90,969	125,832	-	125,832	34,863
Holyoke's Soldiers Home	16,446,723	980,207	13,169	993,376	711,845	-	711,845	(281,531)
Mass Commission for the Blind	16,264,319	165,267	8,263	173,530	70,442	-	70,442	(103,088)
Mass. Commission for Deaf & Hard of Hearing	3,257,130	66,316	-	66,316	95,991	-	95,991	29,675
Mass Office for Refugee and Immigrants				-	464,447	-	464,447	464,447
Massachusetts Rehabilitation Commission	71,085,651	1,369,693	10,000	1,379,693	1,788,722	-	1,788,722	409,029
Office for Child Care Services	194,017,059	33,513,128	286,872	33,800,000	31,473,971	8,843,797.63	40,317,768	6,517,768
TOTAL	2,601,527,221	126,149,034	7,410,177	133,559,211	135,664,051	9,510,352	145,174,402	11,615,191

**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

WOMEN BUSINESS ENTERPRISE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES								
	FY02 Disc. Base	2Yr (00/01 Average)	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Executive Office	4,778,572	38,492	3,849	42,341	73,149	-	73,149	30,808
Chelsea's Soldiers Home	5,406,465	25,788	5,000	30,788	93,557	-	93,557	62,769
Department of Medical Assistance	66,092,902	402,807	40,281	443,088	536,022	147,221.04	683,243	240,155
Department of Mental Health	371,711,070	26,133,831	500,000	26,633,831	27,364,480	505,623.00	27,870,103	1,236,272
Department of Mental Retardation	686,409,904	31,601,814	500,000	32,101,814	34,174,340	-	34,174,340	2,072,526
Department of Public Health	372,071,708	9,101,284	455,064	9,556,348	8,149,266	-	8,149,266	(1,407,082)
Department of Social Services	510,310,377	11,463,441	1,054,477	12,517,918	12,619,113	-	12,619,113	101,195
Department of Transitional Assistance	189,166,248	5,274,778	5,274,778	10,549,556	15,432,534	-	15,432,534	4,882,978
Department of Youth Services	92,027,379	556,445	23,927	580,372	536,079	-	536,079	(44,293)
Division of Health Care Finance and Policy	2,481,714	39,450	-	39,450	143,503	-	143,503	104,053
Holyoke's Soldiers Home	16,446,723	23,023	1,977	25,000	15,106	-	15,106	(9,894)
Mass Commission for the Blind	16,264,319	253,237	12,662	265,899	433,097	-	433,097	167,198
Mass. Commission for Deaf & Hard of Hearing	3,257,130	113,732	-	113,732	178,724	-	178,724	64,992
Mass Office for Refugee and Immigrants				-	4,231	-	4,231	4,231
Massachusetts Rehabilitation Commission	71,085,651	1,385,267	10,000	1,395,267	2,215,293	-	2,215,293	820,026
Office for Child Care Services	194,017,059	12,483,130	16,870	12,500,000	12,365,553	5,886,578.90	18,252,132	5,752,132
TOTAL	2,601,527,221	98,896,519	7,898,885	106,795,404	114,334,048	6,539,423	120,873,471	14,078,067

EXECUTIVE OFFICE OF PUBLIC SAFETY

Message from the Secretary

It is an honor for me to present this year's Affirmative Market Program results on behalf of the Executive Office of Public Safety. Our agencies have risen to the challenge of operating within the considerable fiscal constraints of the past year without losing sight of the objectives of the AMP. We envision a fuller collaboration between our agencies and our minority communities as we realign our core functions and missions to better ensure public safety. I am confident that our renewed sense of community will noticeably transform our past accomplishments in the AMP into a shared experience of expanded public service among our women, minorities and disadvantaged business communities.

Edward A. Flynn
Secretary

Mission Statement

The Executive Office of Public Safety seeks to ensure the safety, security, and preparedness of the Commonwealth, its citizens and their properties by overseeing and developing policies and programs relative to public safety, criminal justice, law enforcement, homeland security, and emergency preparedness. Our Secretariat fosters an environment of innovation and collaboration among our agencies and their constituencies that inspires openness and accessibility in the belief that an informed citizenry will be less fearful and better able to participate in the creation of peaceful and accessible public spaces. We continue to incorporate into our service delivery emerging technology applications and evidence-based best practices.

FY02 MBE Narrative

The tumultuous events that occurred on September 11, 2001 necessarily affected the spending plans of the Executive Office of Public Safety and our agencies. Spending patterns across all of our agencies indicate overall decreases in expenditures (compared to Fiscal Year 2001) that were well below the statewide average. Nonetheless, we are pleased to report a better-than-statewide average for meeting our MBE Benchmarks during Fiscal Year 2002. At least half of our sixteen agencies met and exceeded their MBE Benchmarks by 10% or more. Three offices in particular, the Executive Office, Department of Fire Services, and the Office of the Chief Medical Examiner, each surpassed their MBE Benchmarks by more than 200%.

FY02 WBE Narrative

Overall WBE expenditures reflect similar spending patterns in our agencies. Again, at least half of our agencies met and exceeded their WBE Benchmarks by 50% or more. Three offices in particular, the Executive Office, Criminal History Systems Board, and the Governor's Highway Safety Bureau, each surpassed their WBE Benchmarks by more than 200%.

Overview of Secretariat Agencies

The Executive Office

The Executive Office of Public Safety (EOPS) is the planning and management arm of the Commonwealth's public safety efforts. At the Executive Office, our staff supports, supervises, and provides planning and guidance to a variety of Massachusetts's public safety agencies boards and commissions. Some of the initiatives that operate directly from the Executive Office are the Statewide Emergency Telecommunications Board, the Police Accreditation Commission, the Governor's Auto Theft Strike Force, and the Governor's Task Force on Hate Crimes.

The Programs Division

The Executive Office of Public Safety Programs Division (also known as the Committee on Criminal Justice - CCJ) is the State planning agency responsible for administering Federal and State criminal justice grants, including the Community Policing grant Program. The Programs Division also houses the Statistical Analysis Center, which provides criminal justice research, program evaluation, and information services for the Commonwealth of Massachusetts.

Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (CME) determines the cause and manner of death in cases under its jurisdiction. The agency accomplishes this mission through case investigations and through the performance of autopsies and laboratory studies.

Criminal History Systems Board

The Massachusetts Criminal History Systems Board (CHSB) serves as the hub for information services for the law enforcement and criminal justice communities. The CHSB operates the Commonwealth's Criminal Justice Information System, connecting 276 local police departments. The CHSB is also responsible for the administration of the Criminal Offender Record Information (CORI) statute.

Criminal Justice Training Council

The Massachusetts Criminal Justice Training Council (MCJTC) provides the training for municipal police officers. MCJTC develops and delivers municipal training schools and courses for new officers, as well as the yearly in-service refresher course and a variety of specialized courses.

Department of Correction

The Massachusetts Department of Correction (DOC) operates the Commonwealth's prison system. The Superintendents at each of the DOC prisons manage the day-to-day operations of their facilities, and are responsible for the more than 10,000 inmates incarcerated in the state's prison system. The DOC currently employs nearly 5,000 Correction Officers, Correctional Program Officers, and other security, support, and training staff.

Department of Fire Services

The Department of Fire Services (DFS) provides for firefighter safety through policy development and training. The DFS also operates the Massachusetts Firefighting Academy. The Department, led by the Office of the State Fire Marshal, also assists and supports the fire service community in protecting the lives and property of the citizens of the Commonwealth.

Department of Public Safety

The Department of Public Safety (DPS) promotes public safety and awareness in Massachusetts through a variety of boards and commissions, and through licensing and inspections performed by the divisions within the department. The Department of Public Safety includes the Architectural Access Board (AAB) and the Board of Building Standards and Regulations (BBS).

Department of State Police

The Massachusetts State Police (POL) are the oldest state police department in the nation. Today's State Police consists of more than 2,200 sworn and civilian personnel committed to providing quality policing to the citizens of the Commonwealth by ensuring safe roadways, reducing violence, preventing crime, and providing leadership in times of disaster and critical incidents.

Governor's Highway Safety Bureau

The Governor's Highway Safety Bureau (GHSB) seeks to reduce deaths and injuries on Massachusetts's roadways through education and enforcement. Issues such as the use of safety belts and child safety seats, the dangers of aggressive driving, drinking and driving, and the importance of pedestrian, bicycle and motorcycle safety and helmet use are addressed through a variety of programs designed to make our state's roads and highways safe.

Massachusetts Emergency Management Agency

The Massachusetts Emergency Management Agency (MEMA) coordinates federal, state, local and private resources throughout the Commonwealth during times of disasters and emergencies. In addition, MEMA's day-to-day operation is vital in preparing the Commonwealth for whatever man-made or natural challenges it may face.

Merit Rating Board

The Merit Rating Board's (MRB) primary mission is the administration of the safe driver insurance plan, as promulgated by the Commissioner of Insurance. The Merit Rating Board maintains driving history records consisting of motor vehicle violations, at-fault accidents and comprehensive claims. As the entry point of the Civil Motor Vehicle Infraction process, the Merit Rating Board plays a critical role in the distribution of \$25.8 million dollars annually in fines collected for civil motor vehicle violations to the cities and towns. The Merit Rating Board also provides monthly traffic citation summary reports for every Massachusetts police department.

Massachusetts Military Division (National Guard)

The Massachusetts National Guard (MIL) is the only militia with a federal and state mission. The Guard's federal mission is to provide trained units and individuals to augment the active component in time of war or national emergency. The state mission is to provide the Commonwealth with organized units, equipped and trained to function effectively in the protection of life, property and the preservation of peace, order and public safety. The Guard accomplishes these missions with a force of 11,974 army and airmen and women, commanded by the Adjutant General, with 62 armories located throughout the Commonwealth.

Parole Board

The Massachusetts Parole Board (PAR) is responsible for successfully reintegrating suitable offenders into the community through supervised, conditional release. The Parole Board makes impartial, balanced release decisions and clemency recommendations. Release decisions allow selected inmates to serve a portion of their sentence in the community under strict supervision, subject to specific rules and regulations. The Parole Board may modify conditions of release or, with just cause, return a parolee to custody. The Parole Board's Victim Services Unit provides information, referrals and support services to crime victims and their family members. The Unit also solicits victim input so that parole decisions are made in as informed a manner as possible, and provides assistance and support to crime victims during parole hearings. The Parole Board also provides victims access to specified parole hearings.

Registry of Motor Vehicles

The Registry of Motor Vehicles (RMV) is responsible for the issuance of all drivers' licenses and motor vehicle registrations, for the collection of all motor vehicle infractions, and is the sole enforcer of parking/excise tickets.

Sex Offender Registry Board

The Sex Offender Registry Board (SORB) is the State public safety agency responsible for protecting vulnerable members of our communities from sex offenders. The Board is responsible for promulgating

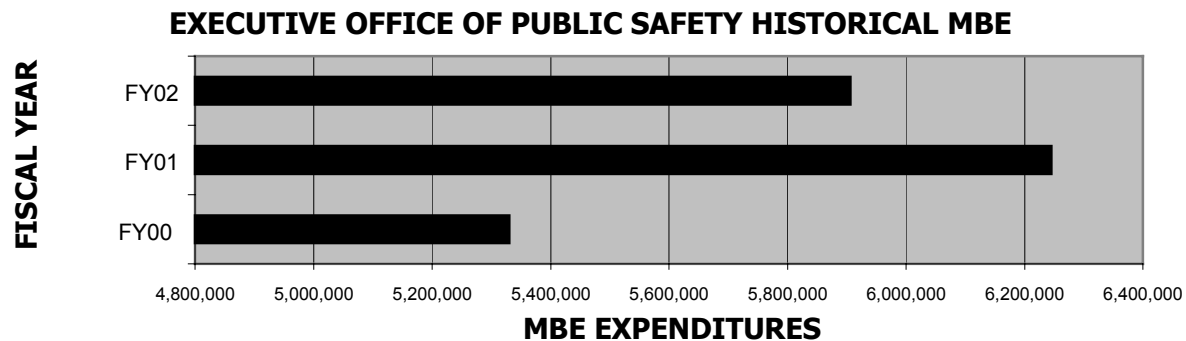
guidelines for determining a sex offender's level of risk of re-offense and the degree of dangerousness posed to the public, as well as providing relief from the obligation to register. In addition, the Board is responsible for developing guidelines for use by city and town police departments in disseminating sex offender registry information.

FY02 Comments on the Affirmative Market Program

The Executive Office of Public Safety and our agencies remain committed to the Affirmative Market Program. We are especially pleased that almost every one of our agencies successfully achieved at least one or the other of their MBE and WBE Benchmarks. This reflects an exceptional effort at the agency level to maintain a commitment to the goals of the AMP in spite of the fiscal crises that many faced in the aftermath of the September 11th tragedies. As we have transitioned into our new administration, we have increased our efforts to participate in the AMP as a Secretariat and as an agency. We continue to strengthen oversight of our agencies' MBE/WBE expenditures at the secretariat level in the current fiscal year. Finally, we are redesigning our procurement processes to ensure our continued success in meeting the goals of the AMP.

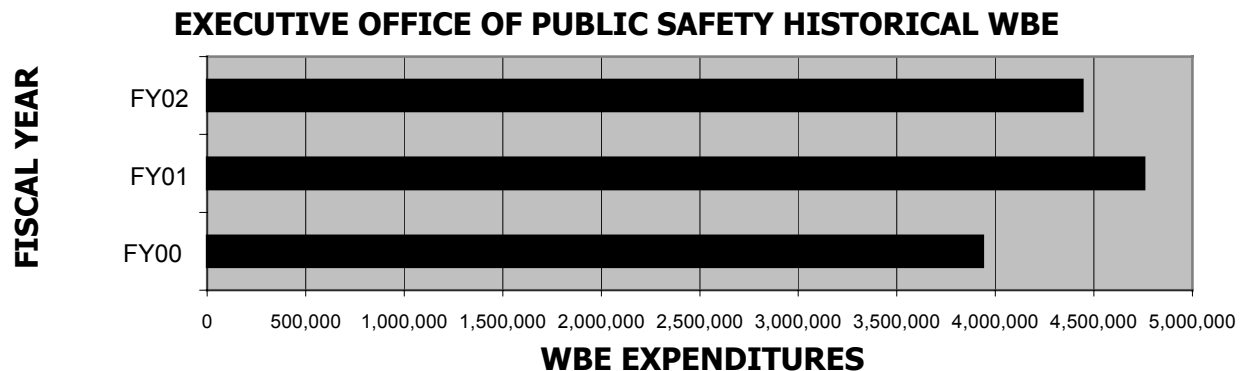
**Executive Office of Public Safety
Historical Spending Trend Minority Business Enterprise (MBE)**

EXECUTIVE OFFICE OF PUBLIC SAFETY			
	FY00	FY01	FY02
Executive Office of Public Safety	11,673	20,744	76,257
Architectural Access Board	761	1,824	54
Board of Building Regulations and Standards	5,375	9,268	2,908
Chief Medical Examiner	5,011	31,719	58,979
Committee on Criminal Justice	296,146	238,967	379,180
Criminal History Systems Board	181,173	38,254	9,377
Criminal Justice Training Council	174,140	15,466	23,988
Department of Corrections	3,460,141	4,986,297	4,555,336
Department of Fire Services	71,791	49,139	43,134
Department of Public Safety	8,590	14,676	51,507
Department of Police	894,433	228,646	253,260
Governor's Highway Safety Bureau	58,143	34,412	34,894
Mass. Emergency Management Agency	58,807	126,855	102,392
Merit Rating Board	15,688	16,508	9,556
Military Division	27,191	15,557	26,984
Parole Board	13,819	159,294	66,560
Registry of Motor Vehicles	47,168	137,624	117,175
Sex Offender Registry Board	N/A	120,518	94,696
TOTAL	5,330,051	6,245,766	5,906,240



**Executive Office of Public Safety
Historical Spending Trend Women Business Enterprise (WBE)**

EXECUTIVE OFFICE OF PUBLIC SAFETY			
	FY00	FY01	FY02
Executive Office of Public Safety	14,729	46,328	76,036
Architectural Access Board	519	1,572	54
Board of Building Regulations and Standards	8,871	8,130	2,691
Chief Medical Examiner	11,159	32,537	16,344
Committee on Criminal Justice	181,883	146,011	299,445
Criminal History Systems Board	559,517	66,580	73,592
Criminal Justice Training Council	72,085	59,952	69,266
Department of Corrections	1,048,040	1,447,863	1,071,974
Department of Fire Services	162,433	179,956	257,161
Department of Public Safety	12,741	21,000	30,712
Department of Police	305,313	472,261	438,932
Governor's Highway Safety Bureau	12,680	21,490	96,988
Mass. Emergency Management Agency	187,749	263,513	230,769
Merit Rating Board	54,168	210,551	148,166
Military Division	18,757	39,128	27,424
Parole Board	13,248	63,775	78,126
Registry of Motor Vehicles	1,273,190	1,563,015	1,393,721
Sex Offender Registry Board	N/A	110,936	130,254
TOTAL	3,937,082	4,754,599	4,441,652



**EXECUTIVE OFFICE OF PUBLIC SAFETY
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE EXECUTIVE OFFICE OF PUBLIC SAFETY								
	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Executive Office	11,865,232	16,209	2,000	18,209	76,257.37	-	76,257	58,048
Architectural Access Board*				-	54.34	-	54	54
Board of Building Regulations and Standards*				-	2,908.26	-	2,908	2,908
Chief Medical Examiner	1,297,079	18,365	7,428	25,793	58,979.11	-	58,979	33,186
Committee on Criminal Justice	4,165,766	267,556	-	267,556	379,180.03	-	379,180	111,624
Criminal History Systems Board	58,634	109,713	(100,000)	9,713	9,377.02	-	9,377	(336)
Criminal Justice Training Council	3,625,900	94,803	-	94,803	23,987.82	-	23,988	(70,815)
Department of Corrections	56,946,970	4,223,219	-	4,223,219	2,389,296.36	2,166,040	4,555,336	332,117
Department of Fire Services	6,082,638	60,465	-	60,465	43,134.46	-	43,134	(17,331)
Department of Public Safety	736,098	11,633	2,000	13,633	51,507.21	-	51,507	37,874
Department of State Police	29,828,821	561,540	(361,540)	200,000	253,259.93	-	253,260	53,260
Governor's Highway Safety Bureau	2,225,226	46,277	-	46,277	34,894.30	-	34,894	(11,383)
Mass. Emergency Management Agency	2,761,479	92,831	4,642	97,473	102,392.00	-	102,392	4,919
Merit Rating Board	632,446	16,098	-	16,098	9,556.31	-	9,556	(6,542)
Military Division	8,449,983	21,374	-	21,374	26,983.97	-	26,984	5,610
Parole Board	2,529,291	86,557	(44,821)	41,736	66,559.88	-	66,560	24,824
Registry of Motor Vehicles	25,424,358	92,397	-	92,397	117,175.00	-	117,175	24,778
Sex Offender Registry Board	3,600,903	120,518	4,500	125,018	94,696.13	-	94,696	(30,322)
TOTAL	160,230,824	5,839,555	(485,791)	5,353,764	3,740,199.50	2,166,040	5,906,239	552,476

*These departments did not submit FY02 MBE benchmarks.

**EXECUTIVE OFFICE OF PUBLIC SAFETY
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

WOMEN BUSINESS ENTERPRISE EXECUTIVE OFFICE OF PUBLIC SAFETY								
	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Executive Office	11,865,232	30,529	-	30,529	76,036.42	-	76,036	45,507
Architectural Access Board*				-	54.34	-	54	54
Board of Building Regulations and Standards*				-	2,690.76	-	2,691	2,691
Chief Medical Examiner	1,297,079	21,848	8,719	30,567	16,343.55	-	16,344	(14,223)
Committee on Criminal Justice	4,165,766	163,947	-	163,947	299,445.05	-	299,445	135,498
Criminal History Systems Board	58,634	313,049	(290,000)	23,049	73,591.61	-	73,592	50,543
Criminal Justice Training Council	3,625,900	66,019	-	66,019	69,265.69	-	69,266	3,247
Department of Corrections	56,946,970	1,247,952	-	1,247,952	1,071,973.92	-	1,071,974	(175,978)
Department of Fire Services	6,082,638	171,195	-	171,195	257,160.51	-	257,161	85,966
Department of Public Safety	736,098	16,870	5,000	21,870	30,711.87	-	30,712	8,842
Department of State Police	29,828,821	388,787	(88,787)	300,000	438,931.62	-	438,932	138,932
Governor's Highway Safety Bureau	2,225,226	17,085	17,085	34,170	96,987.58	-	96,988	62,818
Mass. Emergency Management Agency	2,761,479	225,631	11,282	236,913	230,769.00	-	230,769	(6,144)
Merit Rating Board	632,446	132,360	-	132,360	148,166.33	-	148,166	15,806
Military Division	8,449,983	28,943	-	28,943	27,424.08	-	27,424	(1,519)
Parole Board	2,529,291	38,511	1,225	39,736	78,125.56	-	78,126	38,390
Registry of Motor Vehicles	25,424,358	1,418,102	-	1,418,102	1,393,720.89	-	1,393,721	(24,381)
Sex Offender Registry Board	3,600,903	110,936	20,200	131,136	130,253.59	-	130,254	(882)
TOTAL	160,230,824	4,391,764	(315,276)	4,076,488	4,441,652.37	-	4,441,652	366,047

*These departments did not submit FY02 MBE benchmarks.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION (EOTC)

GOODS & SERVICES

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION (EOTC)

Mission Statement

The Executive Office of Transportation and Construction (EOTC) sets the Commonwealth's transportation agenda, which includes the development of transportation policy, the coordination of Interagency programs and the promotion of economic development through improved transportation and transit related construction programs. The office provides direct management responsibility for the Massachusetts Highway Department (MassHighway) and the Massachusetts Aeronautics Commission (MassAeronautics). It also oversees the construction of the Massachusetts Bay Transportation Authority (MBTA) and fifteen Regional Transit Authorities (RTAs) which serve the balance of the state, the Intercity Bus Capital Assistance Program (IBCAP), the Mobility Assistance Program (MAP), the Intermodal Surface Transportation Unit (ISTU), and the Freight Rail Programs. The Executive Office of Transportation and Construction is committed to the maintenance and development of the transportation infrastructure through reinvestment in existing programs and the construction and development of new capital structures and programs. It is the goal of the Executive Office to create economic gains throughout the Commonwealth that will benefit all citizens through the delivery of quality transportation service and the development of infrastructure and capital construction.

FY02 M/W/DBE UTILIZATION

The EOTC 2002 Secretariat report includes MassHighway, MassAeronautics and the Executive Office. In previous years, this report has included the three agencies (MBTA, MTA, MPA). However, in 2002, the report was amended to incorporate only the state agencies that the EOTC has jurisdiction over. This report consists of a summary of utilization for each of the agencies in the reporting categories: Construction and Design Awards and Expenditures and Goods and Services Expenditures. Certain transportation agencies within the secretariat receive a significant amount of federal funds for construction and design projects. These agencies use the Federal Disadvantaged Business Enterprise (DBE) program model to achieve their DBE goals and objectives in accordance with Federal Regulations 49 CFR Part 26. This year the transportation secretariat expended a total of \$26.6 million with M/WBEs. Of this amount \$16.8 million went to MBEs on state-funded contracts and \$9.8 million went to WBEs.

Construction and Design Awards

During the fiscal year 2002 the transportation secretariat awarded \$256.4 million in construction contracts. \$51.5 million of the total was awarded to minority, women, and/or disadvantaged business enterprises (M/WBEs) representing 20% of the total contract value in construction. \$22.4 million was awarded to MBEs and \$29.1 million was awarded to WBEs.

In design, the secretariat agencies and authorities awarded \$24.9 million of which \$1.9 million was awarded to MBE firms representing 8% of the total contract value in design.

Construction and Design Expenditures

The Secretariat tracked expenditures on active construction contracts for the fiscal year in the cumulative amount of \$106.1 million. \$23.1 million of the total was expended with M/WBE firms 22% of total construction expenditures. \$15.1 million was expended with MBEs and \$8 million with WBEs.

Tracking of expenditures for the fiscal year totaled \$9.1 million for active design contracts. Of that total \$1.4 million was expended with M/WBE firms or 16% of all design expenditures during this period. \$1.3 million was expended with MBEs and \$142,662 thousand with WBEs.

Goods and Services Expenditures

The Secretariat tracked M/WBE goods and services expenditures for the fiscal year totaling \$2 million. \$423,588 of this total was expended with MBEs and \$1.6 million was expended with WBEs.

Goods and Services Benchmark Performance

The EOTC exceeded its benchmark for the WBE category in the area of goods and services. WBEs earned close to 1.4 million dollars, exceeding their benchmark of \$316,155 by almost 1.1 million dollars or (40%). This fiscal year, WBEs earned \$140,514 more than in fiscal year 2001 due to spending over \$1 million dollars with a transportation services consulting company. In the past five years, EOTC has not only exceeded the WBE benchmark, but also increased their expenditures by \$1.2 million dollars. In fiscal year 1998, the total WBE expenditure was \$58,064, \$1.3 million dollars less than the total WBE expenditures in 2002. In fact, over the last five years, EOTC has exceeded the annual target set for WBE participation and increased its expenditures with women-owned firms by more than 27% each year.

The EOTC missed its MBE goal in the area of goods and services by \$6,000. However, EOTC's MBE benchmark represents close to 1% of the agency's total discretionary spending and EOTC was able to achieve close to 1% of this benchmark. MBE and WBE spending accounts for 41% of EOTC's total discretionary spending.

In the WBE category for goods and services, MAC did not reach their goal, earning only 1% of their benchmark. MAC earned 34% of their MBE benchmark for 2002. However, MAC's discretionary spending base has decreased from fiscal year 2001 making it more difficult for MAC to reach their benchmarks this fiscal year. In order to achieve the MBE benchmarks, MAC would have to spend nearly 82% of their discretionary spending with MBEs.

During this fiscal year, MHD earned 5% of their MBE benchmark, which represented 12% of their total discretionary spending. MHD exceeded their WBE benchmark by 3% or \$5,862. MHD, in their largest contract, spent \$36,290, or 19% of their total expenditures, with Arlington Typing and Mailing Inc, an agency that specializes in legal transcription and court reporting.

INITIATIVES

EOTC continues to assume the role of coordinator and facilitator of initiatives promoting M/W/DBE utilization and development in the transportation and construction arenas. EOTC has actively sought measures that will result in an expenditure plan that is market-based and centered on the availability and capacity of targeted businesses.

To this end the transportation agencies of EOTC have continued to fund the State Office of Minority and Women Business Assistance's (SOMWBA) efforts to expand understanding of the certification process and opportunity to transit and construction related companies. The Unified Certification Program Committee has been working with SOMWBA to ensure that timely and effective certification services are delivered to industries seeking contracting opportunities with the Secretariat's agencies. This EOTC supported initiative has made it possible to address the unique issues of coordination and business development in this target business community.

The MassAlliance serves as the major outreach and business development provider to M/W/DBE contractors in the transportation construction arena. The solid support provided by Secretariat agencies continues and the MassAlliance has been enabled to provide technical assistance in areas including from construction management dispute resolution and a Mentor-Protégé Program. In addition the MassAlliance provides education and training courses designed to assist companies in the development of contract estimation and marketing skills, and offers technical assistance to companies as needed.

The Secretariat, its agencies and authorities, continues to participate in vendor fairs, networking conferences, business workshops and forums to enhance the Commonwealth's efforts to increase M/W/DBE business opportunity.

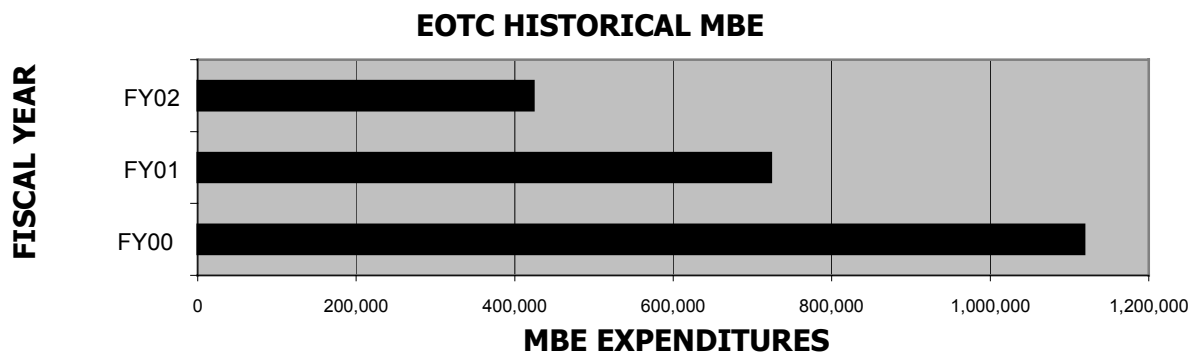
**Executive Office of Transportation and Construction
Historical Good & Services Spending Trend Minority Business Enterprises (MBEs)**

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION			
	FY00*	FY01**	FY02***
Executive Office of Transportation & Construction	25,779	21,124	17,212
Massachusetts Aeronautics Commission	618	94,469	80,234
Massachusetts Highway	1,092,211	607,726	326,140
TOTAL	1,118,608	723,319	423,586

*Previously contained DBE data

**Reporting only state funded dollars

***FY02 Does not include Massachusetts Turnpike Authority.



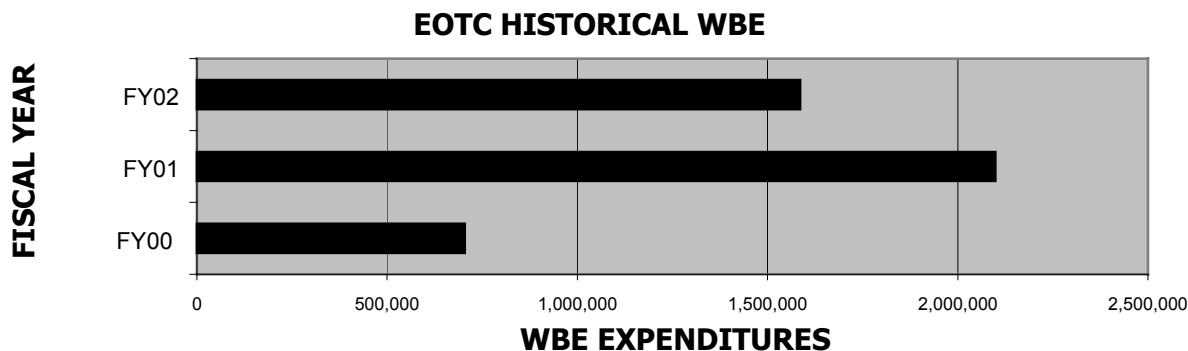
Historical Goods & Services Spending Trend Women Business Enterprises (WBEs)

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION			
	FY00*	FY01**	FY02***
Executive Office of Transportation & Construction	527,102	1,245,873	1,386,388
Massachusetts Aeronautics Commission	3,466	648,698	3,647
Massachusetts Highway	173,673	204,076	195,238
TOTAL	704,241	2,098,647	1,585,273

*Previously contained DBE data

**Reporting only state funded dollars

***FY02 Does not include Massachusetts Turnpike Authority.



**EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Executive Office	3,396,065	23,452		23,452	17,212.59		17,212.59	(6,239.41)
Massachusetts Aeronautics Commission	286,127	33,795	200,000	233,795	80,234.98		80,234.98	(153,560.02)
Massachusetts Bay Transportation Authority								
Massachusetts Highway Department	6,910,616	806,457	600	807,057	326,140.52		326,140.52	(480,916.48)
Massachusetts Port Authority								
Massachusetts Turnpike Authority	26,600,000	399,427	114,117	513,544	1,958,781.00		1,958,781.00	1,445,237.00
TOTAL	37,192,808	1,263,131	314,717	1,577,848	2,382,369.09		2,382,369.09	804,521.09

WOMEN BUSINESS ENTERPRISE EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION								
	FY02	2Yr (00/01)	FY02	FY02 WBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Executive Office	3,396,065	886,488	(570,333)	316,155	1,386,388.00	-	1,386,388.00	1,070,233.00
Massachusetts Aeronautics Commission	286,127	326,082	(291,082)	35,000	3,647.30	-	3,647.30	(31,352.70)
Massachusetts Highway Department	6,910,616.00	188,875	500	189,375	195,237.63	-	195,237.63	5,862.63
Massachusetts Turnpike Authority	26,600,000	636,039	181,718	817,757	865,537.00	-	865,537.00	47,780.00
TOTAL	37,192,808	2,037,484	(679,197)	1,358,287	2,450,809.93	-	2,450,809.93	1,092,522.93

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION (EOTC)

CONSTRUCTION & DESIGN

**EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN EXPENDITURES**

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION						
FY02 CONSTRUCTION EXPENDITURES						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 Expenditures (Col. 3+4)	VARIANCE (Col. 5-2)
Executive Office of Transportation and Construction	NA	NA	NA	NA	NA	NA
MassAeronautics Commission	288194.64	NA	220454	21718	242172.76	NA
MassHighway Department	105,829,898	NA	14,875,863	8,020,719	22,896,582	NA
TOTAL	106,118,093	NA	15,096,317	8,042,437	23,138,755	NA

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION						
FY02 DESIGN EXPENDITURES						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 Expenditures (Col. 3+4)	VARIANCE (Col. 5-2)
Executive Office of Transportation and Construction	NA	NA	NA	NA	NA	NA
MassAeronautics Commission	NA	NA	NA	NA	NA	NA
MassHighway Department	9,091,586	NA	1,296,394	142,662	1,439,056	NA
TOTAL	9,091,586	NA	1,296,394	142,662	1,439,056	NA

**EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN AWARDS**

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION						
FY02 CONSTRUCTION AWARDS						
	1	2	3	4	5	6
	FY02 Total Awards	FY02 M/WBE Benchmark	MBE Awards	WBE Awards	FY02 Awards (Col. 3+4)	VARIANCE (Col. 5-2)
Executive Office of Transportation and Construction	NA	NA	NA	NA	NA	NA
MassAeronautics Commission	NA	NA	NA	NA	NA	NA
MassHighway Department	256,421,684	NA	22,364,278	29,102,695	51,466,973	NA
TOTAL	256,421,684	NA	22,364,278	29,102,695	51,466,973	NA

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION						
FY02 DESIGN AWARDS						
	1	2	3	4	5	6
	FY02 Total Awards	FY02 M/WBE Benchmark	MBE Awards	WBE Awards	FY02 Awards (Col. 3+4)	VARIANCE (Col. 5-2)
Executive Office of Transportation and Construction	NA	NA	NA	NA	NA	NA
MassAeronautics Commission	NA	NA	NA	NA	NA	NA
MassHighway Department	24,916,164	NA	1,900,000	NA	1,900,000	NA
TOTAL	24,916,164	NA	1,900,000	NA	1,900,000	NA

MASSACHUSETTS TURNPIKE AUTHORITY

GOODS & SERVICES CONSTRUCTION & DESIGN

MASSACHUSETTS TURNPIKE AUTHORITY

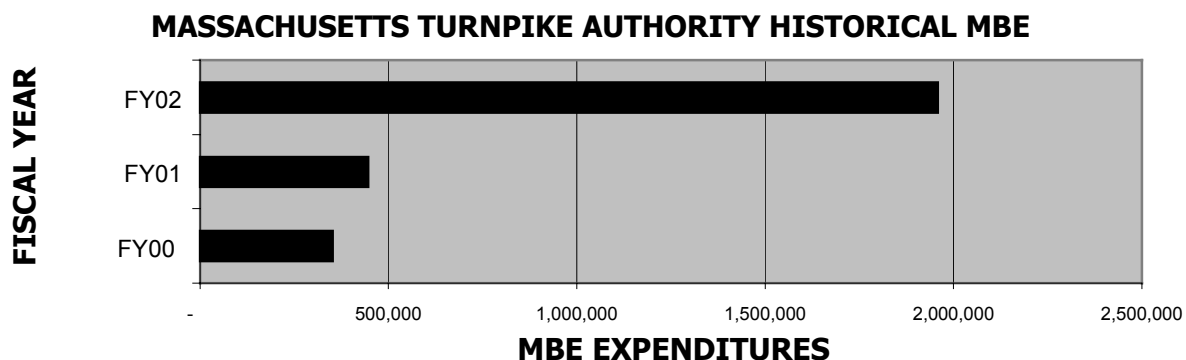
As the spreadsheet indicates, MassPike's construction expenditure and award performance in State Fiscal Year (SFY) 2002 far surpassed benchmark expectations, while design expenditure and award performance were negligible to non-existent. MassPike expenditures and awards in SFY 2002 were nearly \$19.3 million and \$2.4 million respectively. Both expenditure and award benchmarks are 10% of these figures.

Masspike's final SFY 2002 MBE/WBE construction expenditure, over \$4 million, comprised over 21% of overall construction expenditures and exceeded the benchmark by nearly 111%. Concomitantly, Masspike's final SFY 2002 MBE/WBE construction awards comprised over 31% of overall construction awards and exceeded the benchmark by 213%. The construction expenditure performance can largely be attributed to two MBE firms, B and E Construction Corporation and General Air Conditioning, Inc., also serving as prime contractors. Similarly, General Air Conditioning's having been awarded its contract in SFY 2002 accounts for MassPike's above-average awards figure.

The situation is radically different in the design arena. The vast majority of MassPike design contracts have been completed and no new design opportunities have arisen. Thus, MassPike had no design awards at all in SFY 2002 (in fact for several fiscal years) and its MBE/WBE design expenditure was a mere 2.4% of its overall design allotment and nearly 76% below the benchmark. MassPike does not anticipate any new design opportunities for the foreseeable future.

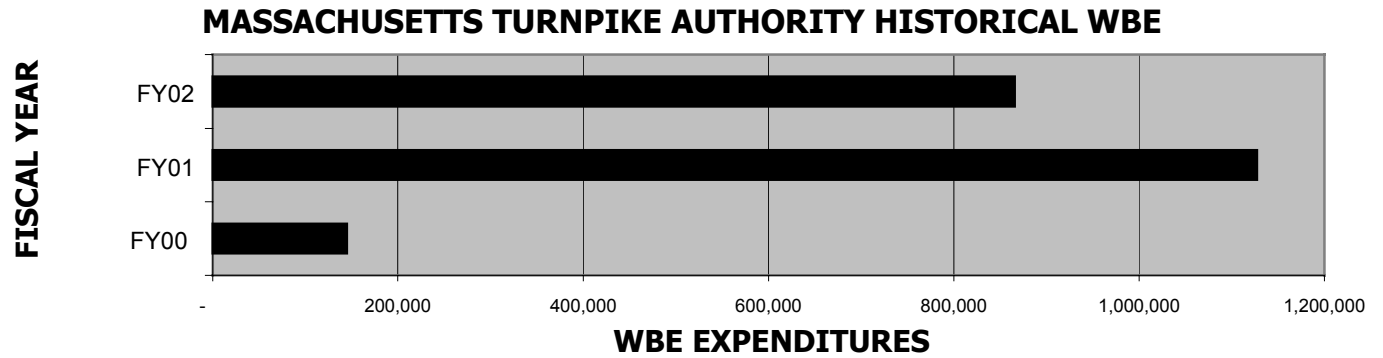
Historical Spending Trend Minority Business Enterprise (MBE) Goods and Services

	FY00	FY01	FY02
Massachusetts Turnpike Authority	352,450	446,404	1,958,781
TOTAL	352,450	446,404	1,958,781



**Historical Spending Trend Minority Business Enterprise (WBE)
Goods and Services**

	FY00	FY01	FY02
Massachusetts Turnpike Authority	144,987	1,127,091	865,537
TOTAL	144,987	1,127,091	865,537



Massachusetts Turnpike FY02 Contract Expenditure

AWARD DATE	CONTRACT NUMBER	PRIME CONTRACTOR AND MBE/WBE SUBCONTRACTORS	STATUS	PRIME AWARD	MBE AWARD	WBE AWARD	% MBE Participation	% WBE Participation
7/13/01	011-141	GENERAL AIR CONDITIONING AND HEATING, INC.	Prime Contractor	\$565,000				
		United Air Conditioning and Heating, Inc.	MBE		\$56,500		10.0%	
		Baystate Home Guard, Inc.	MBE		\$31,000		5.5%	
		General Air Conditioning and Heating, Inc.	MBE		\$477,500		84.5%	
9/7/01	011-117	WARNER BROS., INC.	Prime Contractor	\$105,655				
		Nita, Inc.	MBE		\$10,570		10.0%	
9/22/01	012-128	J.H. LYNCH AND SONS, INC.	Prime Contractor	\$96,207				
		Portland Asphalt	MBE		\$14,602		15.2%	
9/29/01	011-142	GARDNER ENGINEERING, INC.	Prime Contractor	\$203,100				
9/29/01	019-132	PINNACLE ROOFING, INC	Prime Contractor	\$154,850				
		Jet-A-Way, Inc.	WBE			\$7,745		5.0%
		JM Environmental Corporation	WBE			\$958		0.6%
		Woodchuck's Building and Home Center	MBE		\$10,467		6.8%	
6/15/02	021-462	THE LANE CONSTRUCTION CORPORATION	Prime Contractor	\$1,267,603				
		Nita, Inc.	MBE		\$26,000		2.1%	
		MEM Trucking, Inc.	WBE			\$44,000		3.5%
		Seacoast Asphalt Services, Inc.	WBE			\$69,500		5.5%
				\$2,392,414	\$626,640	\$122,203	26.2%	5.1%

DEPARTMENT OF ECONOMIC DEVELOPMENT (DED)

Message from the Director

As the Commonwealth's Economic Development Director, I will work to ensure that all DED agencies advance the Affirmative Market Program. The Department's mission, like that of the Affirmative Market Program, is to provide broad economic opportunity for all the people of Massachusetts.

The Department's agencies remain strongly committed to providing and expanding opportunities for certified minority- and women-owned businesses in the Commonwealth. On an ongoing basis, the State Office of Minority and Women Business Assistance (SOMWBA) facilitates training seminars instructing vendors on how to do business with the Commonwealth. The Massachusetts Office of Business Development (MOBD) offers technical assistance to minority businesses through their Regional Offices and through the Small Business Development Center at UMass.

Peter J. Abair
Director

Mission Statement

The Department of Economic Development's (DED) mission is to help grow and sustain the economy of Massachusetts and to ensure that this is done with regional equity. The Department is responsible for attracting, retaining, and spreading economic prosperity throughout the state.

DED carries out the tenets of this mission through four agencies that are charged with stimulating ongoing economic development in the Commonwealth:

Massachusetts Office of Business Development (MOBD): Operating through five regional offices, MOBD helps companies obtain the human, financial, and technological resources necessary to grow and prosper.

Massachusetts Office of Travel and Tourism (MOTT): MOTT is responsible for overseeing an annual advertising and promotional program that stimulates travel to the Commonwealth, as well as supporting the state's travel business and tourism markets.

State Office of Minority and Women Business Assistance (SOMWBA): Dedicated to the development of certified minority, women-owned business ventures and non-profit endeavors, SOMWBA offers a variety of business assistance and advocacy programs.

Massachusetts Trade Office (MassTrade): MassTrade assists in-state businesses with international interests in harnessing global market opportunities to generate new revenues, create jobs, and encourage the influx of foreign investments in the Commonwealth.

In addition, a diverse mix of Quasi-Public Agencies which promote economic development, job creation/retention, and facilitate growth in the business sector reflect Massachusetts' commitment to teamwork and cooperation among government, business, and community organizations.

FY02 MBE Narrative

SEA utilized seven different certified MBE vendors for the following services in FY2002:

- General office supplies
- Movers
- Printing
- Travel related services
- Courier services

In FY2002, DED achieved 87% of its benchmark. Unfortunately, we were not able to achieve our benchmark due primarily to the restrictions on out-of-state travel. In past years, the majority of our MBE expenditures were for travel-related services. Had there been no such restrictions, we could have exceeded our benchmarks.

DED significantly increased its expenditures with certified MBE vendors for various office supplies in FY2002. We also utilized an MBE vendor, First Choice, for moving services. We will continue to utilize these MBE vendors in FY2003.

However, despite these increases in utilization of MBE vendors, we still found it difficult to make up for the decrease in out-of-state spending. One of our budget line items experienced a 22% decrease in funding from the previous fiscal year, and it was necessary to institute serious cutbacks in spending.

FY02 WBE Narrative

In FY2002, DED utilized eleven certified WBE firms for the following services:

- General office supplies
- Fulfillment services
- Familiarization tour guide services
- Marketing
- Temporary clerical services
- Printing
- Research
- Custom publishing
- Subscriptions

We are pleased to report that DED exceeded its FY2002 WBE benchmark by 522%. This was due in large part to two major contracts: one for fulfillment services with D. Pike and Company (total FY2002 expenditures were \$206,807.78) and one for custom publishing with Pohly and Partners (FY2002 expenditures totaled \$779,366.39). We are aware that these two contracts alone count for approximately 91% of our WBE spending. While we expect to contract with D. Pike and Pohly for the next few years, we also see the need to seek varied WBE vendors for other services. For instance, in FY2002, MOTT contracted with a WBE vendor to perform an economic impact survey and another WBE vendor to provide guide services.

Accomplishment and Initiatives

Despite significant fiscal constraints, DED and its agencies have done considerable work to expand our participation in the Affirmative Market Program and to create capacity for minority and women vendors. For instance, the Massachusetts Small Business Development Center at UMass operates the Procurement Technical Assistance Center, which trains minority-owned firms seeking government contracts. The

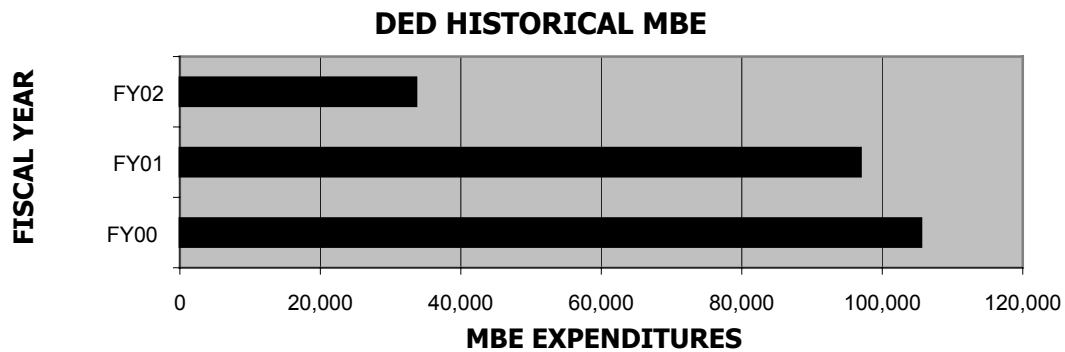
center has provided counseling to over 200 firms, and as a result ten companies have been awarded a total of 25 contracts from various federal and state agencies. These contracts total over \$8.5 million.

Last fiscal year, the Mass. Office of Travel and Tourism (MOTT) worked very hard to ensure that its custom publishing vendor, Pohly and Partners, was certified as a woman-owned business. That certification did not come in time to allow its FY2001 expenditures to Pohly are included with our WBE totals. However, under guidelines established in the original RFR, MOTT would be able to renew their contract with Pohly through FY2005; so we can anticipate inclusion of payments to Pohly and Partners in our WBE totals for the next several years.

In FY2002, we identified several vendors with larger contracts and asked them to be more proactive in subcontracting with certified M/WBE vendors. For instance, the Mass Trade Office, a 501(c)(3) organization, was able to verify a total of \$5,867.58 in payments to both MBE and WBE vendors. We are also working with others, such as MOTT's domestic marketing contractor. While it is difficult to obtain M/WBE vendors in areas such as media presentation, which are highly capitalized or monopolized, we are confident that we will be able to see an increase in certified M/WBE subcontractor spending in the future.

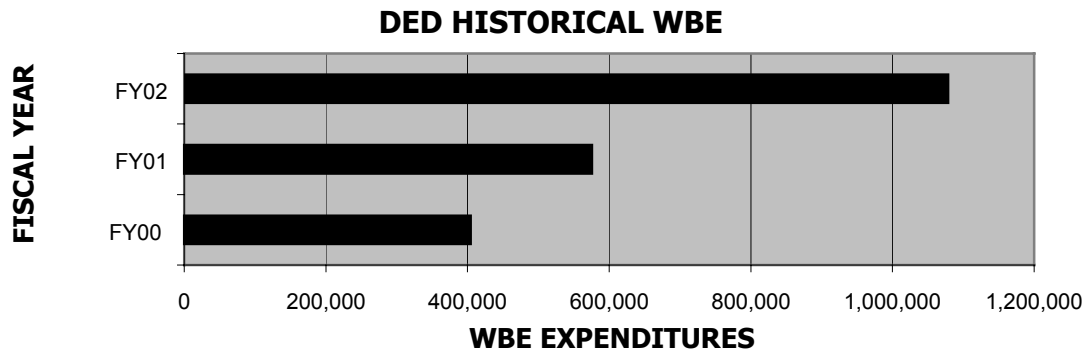
**Department of Economic Development
Historical Spending Trend-Minority Business Enterprises (MBEs)**

DEPARTMENT OF ECONOMIC DEVELOPMENT			
	FY00	FY01	FY02
Department of Economic Development	105,491	96,920	33,634
TOTAL	105,491	96,920	33,634



**Department of Economic Development
Historical Spending Trend-Women Business Enterprises (WBEs)**

DEPARTMENT OF ECONOMIC DEVELOPMENT			
	FY00	FY01	FY02
Department of Economic Development	404,486	575,622	1,078,505
TOTAL	404,486	575,622	1,078,505



**DEPARTMENT OF ECONOMIC DEVELOPMENT
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE DEPARTMENT OF ECONOMIC DEVELOPMENT								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Department of Economic Development	10,491,918	101,206	(62,818.00)	38,388	29,760.56	3,873.58	33,634	(4,754)
TOTAL	10,491,918	101,206	(62,818)	38,388	29,760.56	3,874	33,634	(4,754)

WOMEN BUSINESS ENTERPRISE DEPARTMENT OF ECONOMIC DEVELOPMENT								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Department of Economic Development	10,491,918	490,054	(316,613)	173,441	1,076,511.10	1,994.00	1,078,505	905,064
TOTAL	10,491,918	490,054	(316,613)	173,441	1,076,511.10	1,994.00	1,078,505	905,064

DEPARTMENT OF EDUCATION (DOE)

Message from the Commissioner

The Department of Education is committed to ensuring minority and women business enterprises are included in the planning and implementation of all programs of the department through spending priorities. We will continue to strive to meet aggressive goals, combined with improved outreach and will continue to award grants and contracts to certified minority and women business enterprises.

David P. Driscoll
Commissioner

Mission Statement

The Department of Education provides technical and financial support to cities, towns, charter schools, and regional school districts for early, primary, secondary, vocational, and adult basic education. The Department coordinates and oversees statewide educational policy by ensuring high-quality curriculum in schools, developing assessments for student and school performance, and establishing certification criteria for teachers and administrators throughout the Commonwealth.

FY02 MBE Narrative

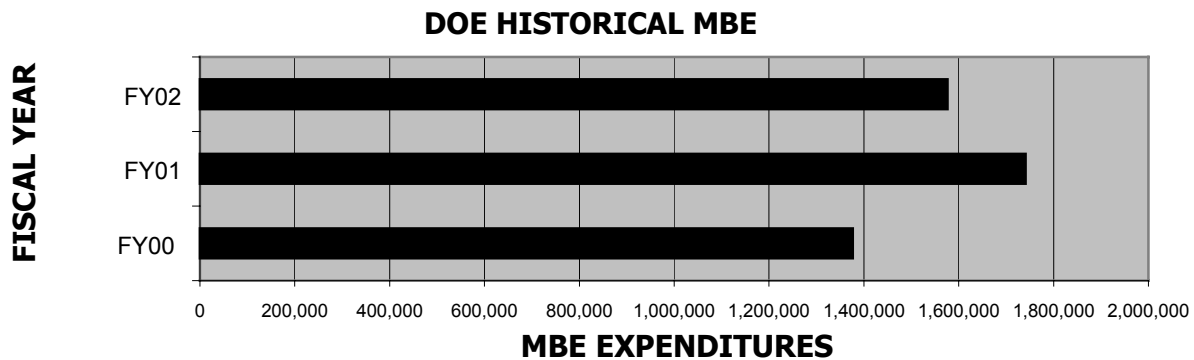
In Fiscal Year 2002, the Department of Education continued its progress in the use of MBE certified vendors. Expenditures totaling \$1,576,323.00 were expended to MBE certified vendors. The Department utilized MBE vendors for printing expenses, out of state travel expenses, office supplies, and program consultants. The Department was able to achieve a 1% increase over our two-year average; however we fell short of our projected 5% increase. Budget cuts in our administrative accounts and the prohibition of out of state travel reduced the amount of dollars, which in the past were expenditures to MBE certified vendors. We will continue to work within the agency's procurement unit to increase the amount of discretionary monies utilizing M/WBE certified vendors in the future.

FY02 WBE Narrative

The Department of Education continued its use of women-owned businesses. Expenditures totaling \$1,288,400.00 went to WBE certified vendors. The Department sustained its use of WBE vendors for office supplies, printing, printing supplies, and information technology professionals. Supply and printing expenditures totaling \$390,525.00 went to WBE vendors. WBE vendors were contracted with for technology professionals and program coordinator services totaling \$897,875.00. For Fiscal Year 2002, the Department of Education was unable to achieve its Benchmark of \$1,976,384.00 as a result of a \$1,000,000.00 budget cut in our capital appropriations. A substantial percentage of these capital funds were for technology expenditures, which would have been expended, using a WBE vendor. We will continue to utilize WBE vendors whenever possible and anticipate continued success.

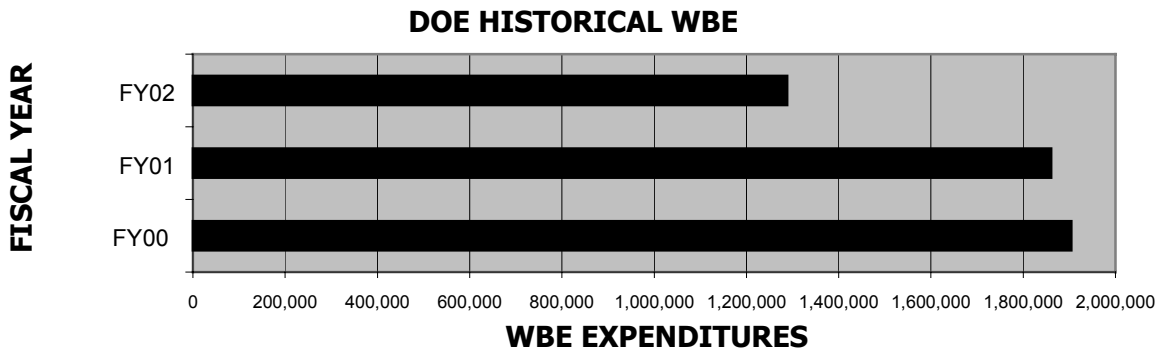
**Department of Education
Historical Spending Trend Minority Business Enterprise (MBE)**

DEPARTMENT OF EDUCATION			
	FY00	FY01	FY02
Department of Education	1,376,566	1,741,226	1,576,323
TOTAL	1,376,566	1,741,226	1,576,323



**Department of Education
Historical Spending Trend Women Business Enterprise (WBE)**

DEPARTMENT OF EDUCATION			
	FY00	FY01	FY02
Department of Education	1,904,245	1,860,294	1,288,400
TOTAL	1,904,245	1,860,294	1,288,400



**DEPARTMENT OF EDUCATION
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE DEPARTMENT OF EDUCATION								
	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Department of Education	80,922,715	1,558,896		1,558,896	1,576,323.01	-	1,576,323	17,427
TOTAL	80,922,715	1,558,896	-	1,558,896	1,576,323.01	-	1,576,323	17,427

WOMEN BUSINESS ENTERPRISE DEPARTMENT OF EDUCATION								
	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 MBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Department of Education	80,922,715	1,882,270	94,114	1,976,384	1,288,400.30	-	1,288,400	(687,984)
TOTAL	80,922,715	1,882,270	94,114	1,976,384	1,288,400.30	-	1,288,400	(687,984)

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

GOODS & SERVICES

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT (DHCD)

A Message from the Director

We, at the Department of Housing & Community Development (DHCD) have always supported the utilization of Minority Business Enterprises in our contractual relationships with vendors. Executive Order 390 is included and implemented during the preparation of local housing authority construction and design contracts. We are aggressive in the goals we set and make every effort to maintain them. My staff has made extra efforts to engage and train the public on how to do business with DHCD. We are always trying new and innovative ideas to encourage participation in our contracts by the MBE/WBE community. We have adopted the spirit of Executive Order 390, which has resulted into a successful program and a record that DHCD takes pride in.

Jane Wallis Gumble
Director

Mission

The mission of DHCD is to strengthen cities, towns and neighborhoods to enhance the quality of life of Massachusetts's residents. To accomplish our mission, we will provide leadership, professional assistance and financial resources to promote safe, decent affordable housing opportunities, economic vitality of communities and sound municipal management. We will forge partnerships with regional and local governments, public agencies, community-based organizations and the business community to achieve our common goals and objectives. In all of these efforts, we will recognize and respect the diverse needs, circumstances and characteristics of individuals and communities.

FY02 MBE/WBE Narrative

The Department of Housing and Community Development (DHCD) is a single agency reporting its MBE/WBE expenditures and activities to the Executive Director of the Affirmative Market Program in the Executive Office of Administration and Finance (EOAF). The Massachusetts Housing Finance Agency (MHFA), an affiliate of DHCD, conducts independent monitoring of its MBE expenditures and submits separate MBE/WBE quarterly and annual reports to EOAF.

Goods & Services

The data for goods and services in FY'02, included universal exemptions allowed by the EOAF, and only included expenditures made with state moneys. Because of program funding cuts, DHCD failed to meet its MBE/WBE benchmarks. Most of DHCD's procurements in the area of goods & services are made from existing statewide contracts from which we select SOMWBA-certified firms. Also, many of our year-to-year grant contracts for neighborhood and fuel assistance services are entered into with SOMWBA-certified CDC's and non-profit organizations.

Construction

DHCD's numbers are higher in FY'02 than in FY'01 and we have exceeded our benchmark in expenditures by \$3,986,111,00 and exceeded our benchmark in awards by \$1,662,855.

Meeting our benchmarks is mainly attributed to the significant growth in many SOMWBA-certified firms who have obtained DCAM certification enabling these firms to bid as the **Prime Contractor**. This is a great achievement and has come to be because of the spirit and implementation of Executive Order 390. This program has enabled certified MBE/WBE contractors to be more aggressive and competitive in the construction arena.

DHCD funds local housing authorities (LHAs) for construction and modernization of state-aided public housing through contracts for financial assistance. MMARS only captures payments made to these LHAs

and does not capture payments to the General Contractor or the SOMWBA-certified MBE/WBE subcontractors

We maintain a 12% MBE and a 5% WBE requirement on all construction contracts estimated to cost a \$100,000 or more for a total of 17% MBE/WBE participation. The exception to the requirement would be on jobs that are single trade in nature, i.e., elevator upgrades, paving, oil tank remediation, septic systems, etc.

DHCD's Contract Specialist/Affirmative Market Program Coordinator maintains internal files of all MBE/WBE firms utilized on each project. As projects get underway, this information is then compared with the data maintained by DHCD's Construction Management Unit, which indicates payments made to date on every prime contract. As payments are made to the general contractor, this information is matched up with the work scheduled to be performed by the MBE/WBE on each project.

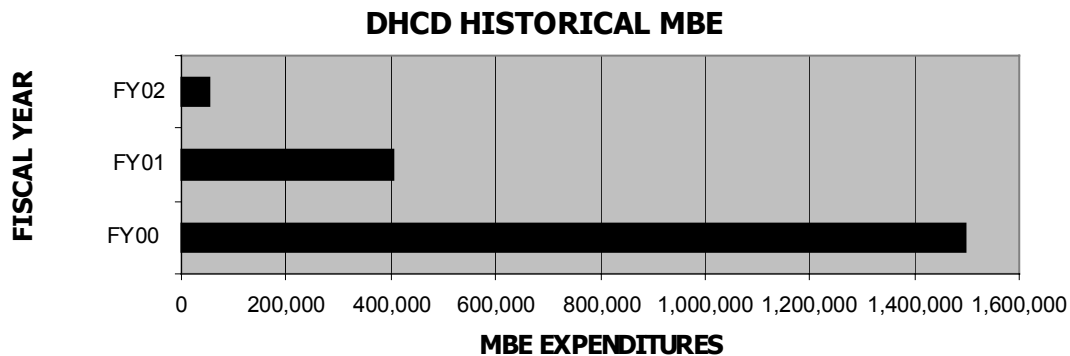
Design Services

DHCD's numbers are lower in FY'02 for certified M/WBE participation. DHCD MBE design awards increased 4.53% over FY01. However, we still did not reach our MBE/WBE benchmarks in expenditures or awards. Our shortfall is mainly due to funding issues, the type of contracts that were bid in this fiscal year. In FY 02 the contracts for design services were smaller in scope and for sound fiscal reasons, DHCD design staff has been preparing more in-house specification in order to facilitate time sensitive projects and to keep costs down.

The procedures are similar with respect to design contracts. DHCD does not enter into contracts for architectural and/or engineering (A/E) services. Local housing authorities that receive DHCD funding enter into these contracts, which contain DHCD's MBE/WBE requirements when the contract is \$100,000 or more. These contracts require 7% MBE and 3% WBE participation respectively. On A/E contracts under \$100,000, DHCD through its LHA's makes every effort to directly award contracts to SOMWBA-certified A/E Firms. Most of our certified MBE/WBE participation comes from the A/E being prime MBE/WBE firms.

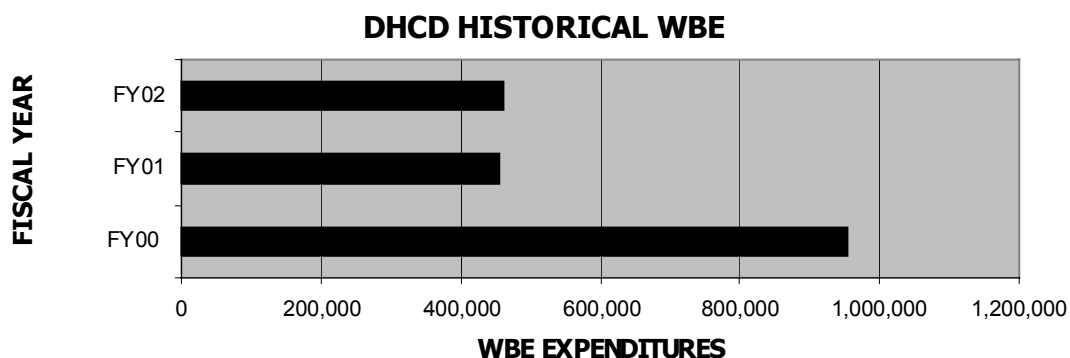
Historical Spending Trend-Minority Business Enterprises (MBEs)

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT			
	FY00	FY01	FY02
Housing and Community Development	1,497,604	404,118	53,572
TOTAL	1,497,604	404,118	53,572



Historical Spending Trend-Women Business Enterprises (WBEs)

Department of Housing & Community Development			
	FY00	FY01	FY02
Housing and Community Development	954,108	455,808	461,673
TOTAL	954,108	455,808	461,673



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Housing and Community Development	8,316,676	2,179,101	(1,009,101)	1,170,000	53,571.77		53,572	(1,116,428)
TOTAL	8,316,676	2,179,101	(1,009,101)	1,170,000	53,571.77	-	53,572	(1,116,428)

WOMEN BUSINESS ENTERPRISE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Housing and Community Development	8,316,676	1,967,247	(807,247)	1,160,000	461,672.51		461,673	(698,327)
TOTAL	8,316,676	1,967,247	(807,247)	1,160,000	461,672.51		461,673	(698,327)

DEPARTMENT OF HOUSING
&
COMMUNITY DEVELOPMENT

CONSTRUCTION
&
DESIGN

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN EXPENDITURES**

Department of Housing and Community Development FY02 CONSTRUCTION EXPENDITURES						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 Expenditures (Col. 3+4)	VARIANCE (Col. 5-2)
Department of Housing and Community Development	47,021,234	8,303,863	11,431,274	858,700	12,289,974	3,986,111
TOTAL	47,021,234	8,303,863	11,431,274	858,700	12,289,974	3,986,111

FISCAL YEAR 2002 -DESIGN EXPENDITURES

Department of Housing and Community Development FY02 DESIGN EXPENDITURES						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY01 Expenditures (Col. 3+4)	VARIANCE (Col. 5-2)
Department of Housing and Community Development	7,654,619	2,219,801	2,003,761	83,470	2,087,231	(132,570)
TOTAL	7,654,619	2,219,801	2,003,761	83,470	2,087,231	(132,570)

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN AWARDS**

Department of Housing and Community Development						
FY02 CONSTRUCTION AWARDS						
	1	2	3	4	5	6
	FY02 Total Awards	FY02 M/WBE Benchmark	MBE Awards	WBE Awards	FY02 Awards (Col. 3+4)	VARIANCE (Col. 5-2)
Department of Housing and Community Development	17,987,500	2,766,751	3,748,049	681,557	4,429,606	1,662,855
TOTAL	17,987,500	2,766,751	3,748,049	681,557	4,429,606	1,662,855

FISCAL YEAR 2002 - DESIGN AWARDS

Department of Housing and Community Development						
FY02 DESIGN AWARDS						
	1	2	3	4	5	6
	FY02 Total Awards	FY02 M/WBE Benchmark	MBE Awards	WBE Awards	FY01 Awards (Col. 3+4)	VARIANCE (Col. 5-2)
Department of Housing and Community Development	1,439,000	418,000	104,250	120,250	224,500	(193,500)
TOTAL	1,439,000	418,000	104,250	120,250	224,500	(193,500)

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT (DLWD)

Message from the Director

The Department of Labor and Workforce Development (DLWD) continually welcomes the opportunity to promote Executive Order 390 when purchasing contracts for goods and services. It is our belief as an agency that targeting and fostering linkages with Women and Minority Business Enterprises (M/WBEs) creates a diversified vendor networking system. This commitment not only enhances our mission of expanding the M/WBE vendor community, but greatly benefits the Commonwealth's economy by promoting equality within the marketplace as well.

In FY02, DLWD encouraged the full participation of M/WBEs in all areas of goods and services throughout the Commonwealth whenever possible and continued to expand past relationships with existing vendors. It has always been a priority of DLWD to target a variety of M/WBE vendors that will in turn improve and strengthen our state economy by offering a variety of choices, competitive pricing, valued products and services.

Since the Commonwealth is composed of many agencies, each with a variety of needs and spending capacities, it only confirms this necessity of diversity within the vendor community allowing for opportunity and growth of women and minority businesses.

Angelo R. Buonopane
Director

Mission

The Mission of the Department of Labor and Workforce Development is to enhance the quality, diversity, and stability of the Commonwealth's workforce by making available new opportunities and training for workers, job seekers, and employers, preventing workplace injuries and illnesses, and providing temporary assistance when employment is interrupted, to ensure that businesses are informed of all employment laws impacting them and their employees, and to promote labor-management harmony.

FY02 WBE Narrative

Division of Employment and Training

We would like to highlight the Division of Employment and Training (DET) on their commitment to the Affirmative Market Program in the area of women-owned businesses. The continued high demands on the Unemployment Insurance Program and for Re-Employment Services created a critical need for additional workforce in a variety of short-term professional, administrative and support positions. WBE firms such as Travis Associates (\$170,150.00), Allied Personnel (\$28,670.00), CQ Personnel (\$15,162.00), John Leonard Personnel (\$28,924.00), and Cleary Consulting (\$2,271.00) assisted DET by providing quality candidates to fill the demands, all through statewide contracts. In addition, DET's Director of Training continued to make a concerted effort to reach out to those M/WBEs that provide training services, such as Linda Bernardin and Carlotta Taylor.

Department of Industrial Accidents

The Department of Industrial Accidents (DIA) had another successful year with women-owned businesses and exceeded its benchmark with a total of \$56,404 in expenditures for FY02. The DIA engaged in strong working relationships with WBE vendors such as CAM Office Supplies (CAM) for printing and supply items, New England Office Supply (NEOS) for office materials, and also utilized

vendors such as Adaptive Tech Consulting, Inc. for work on specialty software programs and DP licenses.

Division of Occupational Safety & Division of Apprenticeship Training

The Division of Occupational Safety (DOS) and the Division of Apprentice Training (DAT) once again successfully exceeded their WBE benchmark goal by \$6,131.00 and \$14,633.00 respectively. DAT awarded \$22,278 to The Women in the Building Trades for mentoring service programs through a CITAP grant in FY02 and anticipates expending an estimated \$18,000.00 with the same vendor in the upcoming fiscal year. DLWD maintained its strong ties with CAM and NEOS (59% of total WBE expenditures) and also entered into new partnerships with John Leonard Employment Services for temporary staffing help and Nelson Office Products, a subcontractor through Xpedx, for paper products.

Board of Conciliation and Arbitration

The Board of Conciliation and Arbitration (BCA) was successful during FY02 in both its MBE and WBE expenditures. Although total spending in both programs decreased from their FY01 levels due to cuts in the agency's budget, BCA makes a concerted effort to purchase office supplies exclusively from M/WBEs on statewide contracts and also uses a WBE temporary help firm (John Leonard Temporary Services) whenever funding allows.

FY02 MBE Narrative

Division of Employment and Training

The increase in Unemployment Insurance (UI) claims and the methodology of taking initial claims by telephone and the additional new initiative of "Tele-Certs" necessitated a re-design of work processes for DET in FY02. Replacing outdated printers with higher speed, more efficient, network models were required. Aggressive pricing by PJ Systems allowed DET to expand their business relationship with that MBE certified vendor, while securing a "best value" for the Agency. The result was a near-tripling of their expenditures with PJ Systems for FY02, as well as significant money saved by DET. Using the existing statewide contract for Stellar Corporation enabled DET to pursue additional business with that firm in the area of Information Technology Professionals. Additionally, DET utilized the Designer Selection Board to generate an engineering contract with Stellar Corporation for several renovation and reconstruction projects at DET facilities. Expenditures with Stellar Corporation totaled \$91,341.00 for FY2002.

Increases in the workforce due to the increased demands for UI Services, and continued commitment to Re-Employment programs created a need for additional supplies. As a result, DET transacted significant additional business with MBE supply vendors such as CAM, G. A. Blanco, NEOS, all through statewide contracts.

Department of Industrial Accidents

The DIA exceeded its benchmark for MBE vendors by 57%, spending a total of \$132,601 during fiscal year 2002. DIA continued its successful relationships with NEOS for office materials, G.A. Blanco for printing expenses, and also enlisted the assistance of McKenzie Edwards P.C. for legal services and Total Clerical to fulfill temporary staffing needs.

Division of Occupational Safety & Division of Apprenticeship Training

DOS and DAT have continued to utilize such MBE vendors as NEOS and Eliassen Group for a majority of their goods' expenditures allowing them to successfully exceed their benchmark goal by \$12,711.00 (DOS) and \$7,408.00 (DAT). DLWD employed the services of Glen Valley International, Inc. for office safety products and Hi-Q/PJ Systems to update current hardware systems.

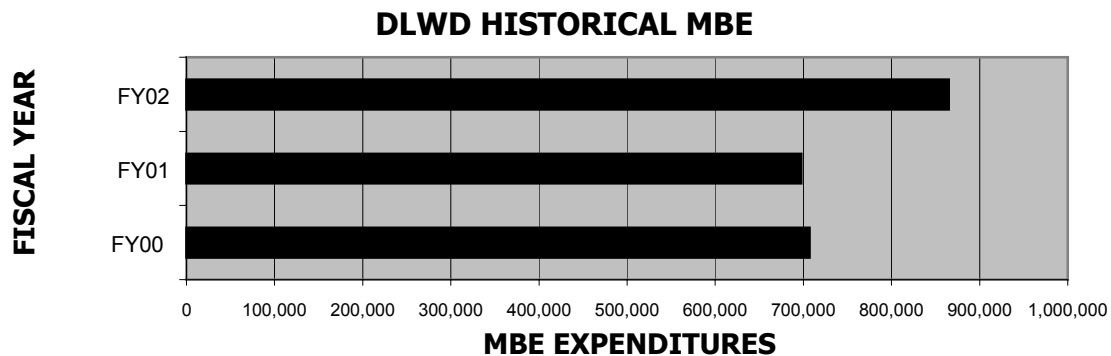
Final Comment

The Department of Labor and Workforce Development increased their total expenditures in both women and minority-owned businesses by 140% and 24% respectively in FY'02. DLWD will continue to monitor and track agencies' spending on a quarterly basis, provide direction to agency staff that request goods and services, assist the staff in utilizing statewide contracts, and target quality M/WBE vendors. We hope to continue our history of success in FY03 through the participation in all Agency PMTs and Coordinator's monthly meetings to ensure the integrity of the procurement process, and to further the goals of the Affirmative Market Program.

As more M/WBE's participate in, and are awarded, statewide contracts, we see an increase in the availability of quality goods and services, which will benefit the Commonwealth, the Agencies, and the vendors, in a "win-win" situation. Our dedication to the Affirmative Market Program (AMP) remains and we accept the challenge of a greater commitment in the coming fiscal year.

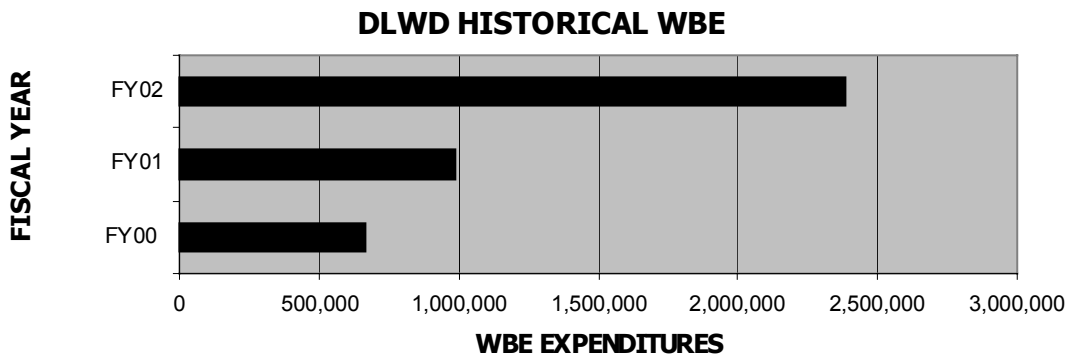
Department of Labor and Workforce Development Historical Spending Trend-Minority Business Enterprises (MBEs)

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT			
	FY00	FY01	FY02
Department of Labor & Workforce Development	17,353	2,630	3,880
Apprentice Training	16,990	18,871	25,339
Board of Conciliation and Arbitration	14,117	2,652	1,881
Department of Industrial Accidents	41,749	70,794	132,601
Division of Employment and Training	583,369	563,871	654,102
Division of Occupational Safety	27,091	26,199	39,356
Joint Labor Management Committee	582	3,019	804
Labor Relations Commission	5,594	9,358	7,020
TOTAL	706,846	697,395	864,983



**The Department of Labor and Workforce Development
Historical Spending Trend-Women Business Enterprises(WBEs)**

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT			
	FY00	FY01	FY02
Dept. of Labor and Workforce Dev.	4,459	2,630	6,154
Apprentice Training	2,540	18,871	25,339
Board of Conciliation & Arbitration	9,712	13,684	2,401
Department of Industrial Accidents	42,696	53,356	56,044
Division of Employment & Training	574,126	803,097	2,224,035
Division of Occupational Safety	26,192	83,331	60,893
Joint Labor Management Commission	582	3,019	1,063
Labor Relations Commission	5,807	12,620	6,913
TOTAL	666,115	990,608	2,382,842



**DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Department of Labor & Workforce Development	20,178	9,992	(4,992)	5,000	3,880		3,880	(1,120)
Apprentice Training	17,388	17,931	-	17,931	25,339	-	25,339	7,408
Board of Conciliation and Arbitration	19,081	8,384	(5,000)	3,384	1,881	-	1,881	(1,503)
Department of Industrial Accidents	72,118,542	56,272	1,000	57,272	132,601	-	132,601	75,329
Division of Employment and Training	114,651,537	573,620	40,153	613,773	654,102	-	654,102	40,329
Division of Occupational Safety	515,530	26,645.00	-	26,645	39,356	-	39,356	12,711
Joint Labor Management Committee	18,591	1,801	1,699	3,500	804	-	804	(2,696)
Labor Relations Commission	54,678	7,476	(3,976)	3,500	7,020	-	7,020	3,520
TOTAL	187,415,525	702,121	28,884	731,005	864,983.00	-	864,983	133,978

WOMEN BUSINESS ENTERPRISE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Department of Labor & Workforce Development	20,178	3,545	455	4,000	5,166	987.75	6,154	2,154
Apprentice Training	17,388	10,706	-	10,706	25,339	-	25,339	14,633
Board of Conciliation and Arbitration	19,081	11,698	(9,000)	2,698	2,401	-	2,401	(297)
Department of Industrial Accidents	72,118,542	48,026	800	48,826	56,044	-	56,044	7,218
Division of Employment and Training	114,651,537	688,611	48,203	736,814	2,224,035	-	2,224,035	1,487,221
Division of Occupational Safety	515,530	54,762.00	-	54,762	60,893	-	60,893	6,131
Joint Labor Management Committee	18,591	1,801	-	1,801	1,063	-	1,063	(738)
Labor Relations Commission	54,678	9,213	(5,813)	3,400	6,913	-	6,913	3,513
TOTAL	187,415,525	828,362	34,645	863,007	2,381,854	987.75	2,382,842	1,519,835

OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION (OCABR)

Message from the Director

As the Director of Consumer Affairs and Business Regulations I am pleased to present the Fiscal Year 2002 Affirmative Market Program Report. As I reviewed the spending and procurement data of years past I see that secretariat spending for WBE has improved significantly while MBE spending has decreased slightly.

In FY02, the Secretariat was successful in meeting its WBE benchmark. We were unable to meet our MBE benchmark due to budget constraints. OCABR agencies have a small amount of discretionary money to spend from year to year. As a central business office our administrative staff works closely with our agencies to identify opportunities to contract with MBE and WBE vendors. We have a standing policy of purchasing all of our supplies from MBE/WBE vendors and are striving to utilize MBE/WBE printing services whenever possible.

Our goal for FY2003 is to continue to utilize MBE/WBE vendors whenever possible. We welcome the opportunity for continued growth in our Affirmative Market Program efforts as funding and other opportunities allow.

Jennifer Carey Davis
Director

Mission Statement

The Office of Consumer Affairs and Business Regulation is the state watchdog charged with educating, informing and protecting consumers. The Office staffs Consumer Information Call Center, publishes educational brochures and alerts, investigates consumer problems, monitors the market place, and runs the state's [Lemon Law Program](#) and [Home Improvement Contractor Program](#).

FY 2002 MBE Narrative

Alcoholic Beverages Control Commission (ABC)

In FY 02 the ABC was successful in meeting and exceeding its established FY 02 MBE spending goals. However, the ABC total FY 02 MBE spending was slightly less than FY 01 spending. The small short fall can be attributed to reduction in travel management services.

Office of Consumer Affairs and Business Regulation (SCA)

In FY 02 SCA was successful at meeting and exceeding its MBE benchmark. SCA exceeded this benchmark by over \$10K. However, SCA total FY 02 MBE spending was significantly less than the FY 01 spending. The reason for this shortfall was because in FY 01, SCA had a onetime purchase of information technology equipment.

Division of Standards (DOS)

In FY 02 DOS did not meet its established FY 02 MBE spending benchmark. DOS FY 02 MBE spending was also less than the FY 01 spending by a significant amount. This shortfall was due to a reduction in printing and office supplies spending as well as a reduction in travel management services.

Division of Professional Licensure (REG)

In FY 02 REG did not meet its established FY 02 MBE spending benchmark. REG

FY 02 spending was also significantly less than FY 01 spending. The reason for this shortfall was due to a drastic reduction in spending for in travel management services.

Division of Banks (DOB)

In FY 02 the DOB did not meet its established FY 02 MBE spending benchmark. The DOB FY02 spending was also less than FY01 MBE spending. This decrease can be attributed to a onetime office furnishing expense in FY01. DOB MBE expenses for FY 02 consisted of office supplies, printing expense and travel management services

State Racing Commission (SRC)

In FY 02 the SRC successfully met and surpassed its established FY 02 MBE spending benchmark by 21K. The SRC total FY 02 MBE spending was more than twice FY01 spending. This increase can be attributed to a significant increase in mail services as well as office and printing supplies.

Department of Telecommunications and Energy (DPU)

In FY 02 the DPU did not meet its established FY 02 MBE spending benchmark. The DPU total FY 02 MBE spending was also less than the FY 01 spending. This shortfall was attributed to a reduction in travel management services.

Division of Energy Resources (ENE)

In FY 02 ENE was not successful in meeting its established FY 02 MBE spending benchmark. The ENE total FY 02 MBE spending was also less than the FY 01 spending. This shortfall was due to FY 02 decreased spending in office supplies and printing expenses as well as in travel management services.

State Board of Registration in Medicine (MED)

In FY 02 MED was unable to meet its MBE spending benchmark for FY 02. The MED total MBE spending for FY 02 was also slightly less than FY01 spending. The reason for the short fall can be attributed to a decrease in travel management services, printing expenses and office supplies.

Division of Insurance (DOI)

In FY 02 was unable to meet its MBE spending benchmark for FY 02. The DOI total MBE spending for FY02 was also significantly less than FY 01 spending. This shortfall was due to a decrease in travel management services, printing expenses and office supplies.

FY 2002 WBE Narrative

Alcoholic Beverages Control Commission (ABC)

In FY 02 ABC fell short of their FY02 WBE established benchmark. Total FY 02 WBE expenditures were also less than FY 01. This shortfall was due in large part to ~\$30K of onetime expenditures made in FY 00 for information technology professionals. These onetime expenditures inflated the FY 00 WBE spending as well as the FY 02 established benchmark, which is an average of 2000 and 2001 expenditures.

Office of Consumer Affairs and Business Regulation (SCA)

The SCA exceeded the FY 02 established WBE benchmark by ~\$10K. The OCA WBE spending for FY 02 also exceeded FY01 spending. OCA WBE expenditures were comprised mostly of office supplies and printing expenses.

Division of Standards (DOS)

The DOS did not meet their established FY 02 WBE spending benchmark. The DOS FY 02 expenditures were also less than FY01. This short fall is attributed to a decrease in office & printing supplies purchase

Division of Professional Licensure (REG)

REG exceeded both their FY 01 WBE spending and their established FY 02 WBE spending benchmark. REG expenditures were comprised mostly of office, printing supplies and expenses.

Division of Banks (DOB)

The DOB exceeded both their FY 01 WBE spending and their established FY 02 WBE spending benchmark. This increase is attributed to increased spending in temporary help services.

State Racing Commission (SRC)

The SRC exceeded its FY 02 WBE spending benchmark by about \$3K. The SRC also exceeded its FY01 WBE spending. Increased spending was due to increase in printing expenses and office supplies.

Department of Telecommunications and Energy (DPU)

DPU exceeded both their FY 02 WBE established benchmark and FY01 WBE spending. The DPU expenditure was comprised mostly of Office and administrative supplies. They also spent some money on consulting services.

Division of Energy Resources (ENE)

ENE was unable to match their FY 01 WBE spending or meet their established FY 02 WBE spending benchmark. This shortfall is attributed to decreased spending on temporary help services with WBE registered vendors as well as office supplies. Due to high turnover of WBE registered vendors help, ENE used a vendor that was not a registered WBE. ENE will try to incorporate an additional vendor going forward in order to restore some of the previous WBE spending. The ENE WBE expenditures were comprised mostly of office, printing supplies and expenses.

State Board of Registration in Medicine (MED)

MED was unable to match their FY 01 WBE spending or meet their established FY 02 WBE spending benchmark. This shortfall is attributed to decreased spending on temporary help services with WBE registered vendors. MED used 3 different vendors in FY 02 and only one of them was a registered WBE vendor. MED will try to increase the usage of the WBE vendor going forward in order to restore some of the previous WBE spending. The MED WBE expenditures were comprised mostly of office supplies, printing expenses; postage and some temporary help services.

Division of Insurance (DOI)

The DOI surpassed both their FY 01 spending on WBE vendors and their established WBE benchmark for FY02. This increase is attributed to increased use of WBE registered vendors for temporary help services. The DOI has made a special effort to use WBE vendors for temporary help. Spending on office supplies and printing expenses from WBE registered vendors also increased in FY02. The DOI WBE expenditures were comprised mostly of office, printing supplies and expenses, temporary help services.

Overview of Secretariat Agencies

Alcoholic Beverages Control Commission - The ABCC licenses and monitors the manufacture, import, export, storage, transport, quality, and sales of all alcoholic beverages in Massachusetts. The

Commission may grant, suspend, or revoke liquor licenses for shippers, taverns and bars, restaurants and hotels, package stores, chartered clubs and pharmacies.

State Board of Registration in Medicine - The Board was created to protect the public health, safety and welfare by setting standards for the practice of medicine and by ensuring that practitioners are appropriately qualified. The Board grants and renews doctors' licenses, and has the authority to receive and investigate complaints and discipline doctors. The Board also produces Physicians' Profiles for consumers.

Department of Telecommunications and Energy - The DTE regulates the rates, practices and quality of service of the public utilities and common carriers in the Commonwealth (electric, gas, water, cable and telecommunications companies, as well as bus companies, commercial motor vehicles and some aspects of railroads). The DTE also enforces safety regulations, oversees service, licenses and certifies service providers, sites energy facilities and handles consumer complaints, including billing and termination practices of utility companies.

Division of Energy Resources - The mission of the Division of Energy Resources is to implement energy policies that ensure an adequate supply of reliable, affordable and clean energy for business and residents of Massachusetts. The Division improves and streamlines energy regulation, promotes greater efficiency in all energy uses, reduces energy costs and mobilizes energy education.

The Division of Banks - The Division of Banks regulates, supervises and audits state-chartered trust companies, savings banks, cooperative banks, credit unions, finance companies, mortgage brokers and lenders and collection agencies. The Division also grants charters and approves branches, acquisitions and mergers. The division promotes the public interest by fostering the safety and soundness of financial institutions, by encouraging fair competition and reinvestment in the community, and by supervising small loan interest rate, credit, and savings transaction compliance.

The Division of Insurance - The Division regulates all aspects of the insurance industry. It licenses more than 800 insurance entities, companies and HMOs, and more than 100,000 insurance personnel. The Consumer Section answers consumer questions and investigates complaints against agents, brokers and insurers. The Division also performs market conduct and financial examinations, audits licenses, reviews rates and policy forms, and participates in rate setting.

The Division of Professional Licensure - The Division of Professional Licensure is an umbrella agency responsible for the 36 professional licensing boards that ensure the integrity of the licensure process for more than 530,000 professionals in more than 46 trades and professions. The boards, created primarily to protect the health and safety of all consumers, each examine and license applicants, hold disciplinary hearings, and establish standards for professional conduct. A centralized Investigative Unit handles all consumer complaints against licensed professionals.

The Division of Standards - The Division is responsible for setting standards and testing the accuracy of all weighing and measuring devices used in the sale of food, fuels, and other products. The Division sets accuracy and safety standards for thermometers, governs the advertising and sale of motor fuels, sets standards for lubricating oils, anti-freeze and fuel oils, and inspects all fuel-dispensing pumps. The Division licenses hawkers, peddlers, motor fuel and motor oil dealers, auctioneers, and enforces pricing laws and regulations.

The State Racing Commission - The State Racing Commission regulates all pari-mutuel activities in Massachusetts. The Commission oversees thoroughbred, harness and greyhound racing; licenses all

racing tracks and all owners, trainers, jockeys, veterinarians, blacksmith and other agents and employees of the tracks. The Commission also hears appeals from the decisions of the Boards of Stewards or the Boards of Judges, and monitors the security and protection of racing animals and the wagering public.

Overview of Secretariat Programs

Home Improvement Contractor Program - In 1992, the Home Improvement Contractor Law was created to protect consumers and to regulate the home improvement industry (M.G.L. c. 142A). The Office of Consumer Affairs and Business Regulation manages an Arbitration Program to help consumers resolve disputes against home improvement contractors. Consumer Affairs also administers the Guaranty Fund, which compensates eligible consumers up to \$10,000 for unpaid judgments against registered contractors. In 2001, Consumer Affairs received 109 arbitration applications for disputes between Homeowners and registered home improvement contractors. Consumer Affairs held 55 hearings and ordered a payment of \$390,153 to 50 homeowners and \$38,163 to 11 contractors.

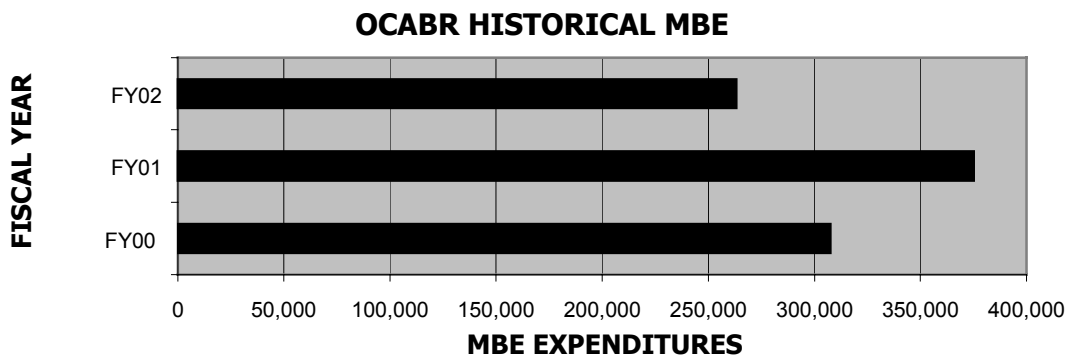
The Lemon Law Program - The Lemon Law and the Used Vehicle Warranty Law provide protection to consumers who purchase new, used and leased cars. The Office of Consumer Affairs and Business Regulation administers an Arbitration Program to resolve disputes between consumers, dealers and manufacturers. Each year hundreds of thousands of dollars are returned to consumers who purchase "lemon" vehicles. Recently, Consumer Affairs eliminated the application fee for the Lemon Law Arbitration program by recruiting and training professional, pro bono arbitrators to hear the cases. As a result of this initiative, Consumer Affairs saved 204 consumers a total of \$61,200 in fees in 2001.

FY 2002 Comments on the Affirmative Market Program

A severe shortfall in discretionary spending statewide will negatively impact spending choices for the coming fiscal years 2003 & 2004. The majority of areas where the OCA secretariat spends dollars on M/WBE vendors have been cut back to less than maintenance levels. These spending areas include office supplies, printing expenses, travel management, temporary help services and special one-time only capital related expenditures for information technology equipment and information technology consultation. For example, temporary help services are allowed only on a case-by-case basis, printing expenses and office supplies have been cut to a minimum, there has been a freeze put on all out of state travel and all capital related IT projects are being closely scrutinized by the budget analysts. Therefore, past spending benchmarks will not be realistic targets for FY 2003 or 2004. It is a difficult fiscal time and we regret to have to make these cuts to our lower subsidiary spending. As soon as we have the resources we will look forward to re-establishing increased levels of affirmative market spending.

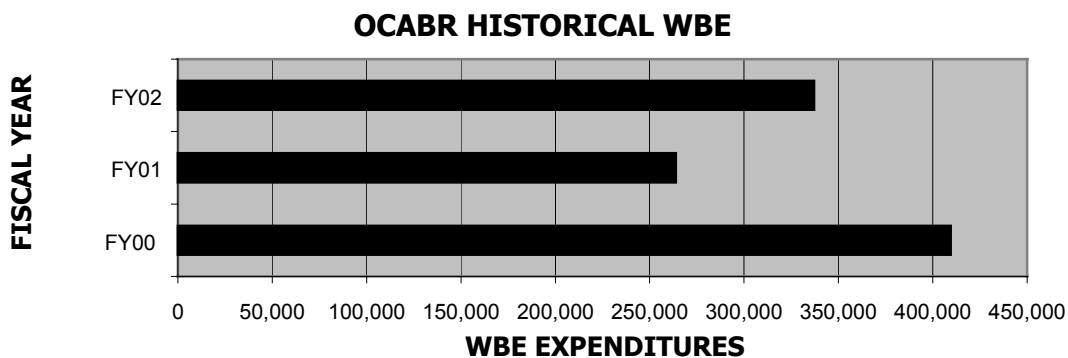
**Office of Consumer Affairs and Business Regulation
Historical Spending Trend-Minority Business Enterprises (MBEs)**

	FY00	FY01	FY02
Consumer Affairs and Business Regulation	6,329	51,046	39,083
Alcoholic Beverage Control Commission	5,175	11,847	9,430
Board of Medicine	15,522	31,276	16,450
Dept.of Telecommunication and Energy	81,579	62,852	57,136
Division of Banks	57,179	57,575	36,045
Division of Energy Resources	37,753	32,558	19,401
Division of Insurance	44,393	71,068	25,070
Division of Registration	39,206	35,227	23,460
Division of Standards	10,415	7,614	3,324
State Racing Commission	9,923	14,090	33,720
TOTAL	307,472	375,153	263,120



**Office of Consumer Affairs and Business Regulation
Historical Spending Trend-Women Business Enterprises (WBEs)**

	FY00	FY01	FY02
Consumer Affairs & Business Regulation	2,978	9,135	41,767
Alcoholic Beverages Commission	34,068	17,331	10,490
Board of Medicine	121,313	86,669	60,813
Department of Telecommunication & Energy	53,862	26,824	43,986
Division of Banks	15,720	9,673	27,624
Division of Energy Resources	81,968	21,522	9,820
Division of Insurance	58,443	49,959	90,988
Division of Registration	23,458	24,992	34,579
Division of Standards	7,595	7,992	3,324
State Racing Commission	10,118	9,711	13,688
TOTAL	409,522	263,808	337,081



**OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATIONS								
	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 WBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Office of Consumer Affairs and Business Regulations	137,272	28,687	-	28,687	39,082.65	-	39,083	10,396
Alcoholic Beverage Commission	270,696	8,511	-	8,511	9,430.34	-	9,430	919
Board of Medicine	876,327	23,399	-	23,399	16,449.63	-	16,450	(6,949)
Department of Telecommunications & Energy	4,523,042	72,215	-	72,215	57,136.19	-	57,136	(15,079)
Division of Banks	1,334,980	57,377	-	57,377	36,045.33	-	36,045	(21,332)
Division of Energy Resources	2,037,913	35,155	-	35,155	19,400.97	-	19,401	(15,754)
Division of Insurance	2,544,941	57,730	-	57,730	25,070.38	-	25,070	(32,660)
Division of Registration	1,408,481	37,216	-	37,216	23,460.10	-	23,460	(13,756)
Division of Standards	41,634	9,015	-	9,015	3,324.24	-	3,324	(5,691)
State Racing Commission	1,043,856	12,006	-	12,006	33,720.22	-	33,720	21,714
TOTAL	14,219,142	341,311	-	341,311	263,120.05	-	263,120	(78,191)

WOMEN BUSINESS ENTERPRISE OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATIONS								
	FY02 Disc. Base	2Yr (00/01) Average	FY02 Proj. Incr	FY02 WBE Benchmark	Final Expenditures	Sub- Contractor Payments	Total FY02 Expenditures	Variance
Office of Consumer Affairs and Business Regulations	137,272	6,057	-	6,057	41,767.04	-	41,767	35,710
Alcoholic Beverage Commission	270,696	25,700	-	25,700	10,490.34	-	10,490	(15,210)
Board of Medicine	876,327	103,991	-	103,991	60,813.03	-	60,813	(43,178)
Department of Telecommunications & Energy	4,523,042	31,767	-	31,767	43,986.40	-	43,986	12,219
Division of Banks	1,334,980	18,621	-	18,621	27,623.74	-	27,624	9,003
Division of Energy Resources	2,037,913	54,396	-	54,396	9,820.47	-	9,820	(44,576)
Division of Insurance	2,544,941	54,201	-	54,201	90,988.26	-	90,988	36,787
Division of Registration	1,408,481	24,225	-	24,225	34,579.49	-	34,579	10,354
Division of Standards	41,634	7,793	-	7,793	3,324.24	-	3,324	(4,469)
State Racing Commission	1,043,856	9,914	-	9,914	13,688.47	-	13,688	3,774
TOTAL	14,219,142	336,665	-	336,665	337,081.48	-	337,081	416

MASSHOUSING

GOODS & SERVICES

MASSHousing

Message from the Executive Director

"MassHousing, formerly known as the Massachusetts Housing Finance Agency, has demonstrated a long history of successful achievement in the area of equal opportunity and remains firmly committed to developing a level playing field for individuals and companies competing for MassHousing-generated business. Minority Business Enterprises and Women Business Enterprises have long been underrepresented in the housing and management industry. In fiscal year 2002, MassHousing continued to make a significant commitment of personnel and financial resources to develop and implement an affirmative action strategy, which promotes procurement and contracting opportunities for Minority and Women Business Enterprises across all areas of the Agency. In FY2002, MassHousing exceeded its goals for the utilization of both Minority-Owned and Women-Owned Businesses."

Thomas R. Gleason
Executive Director

Agency Overview

MassHousing offers a variety of financial resources to promote decent, safe and affordable housing throughout the Commonwealth. Since its creation in 1966, it has provided more than \$6 billion to finance more than 60,000 apartments and 40,000 home mortgages throughout the state. MassHousing's programs also enable lenders to increase their investment in affordable mortgage and bond programs, and developers to maximize new business opportunities in niche market areas. MassHousing's commitment to challenge traditional lending practices combines innovation with sound business practices – a philosophy that reinforces the Agency's position as the leader in affordable housing finance in Massachusetts.

MassHousing's FY'02 MBE& WBE Utilization*

The Agency's Compliance & Diversity Division is responsible for monitoring and compliance of MassHousing's initiatives. In keeping with the Commonwealth's Affirmative Market Program's mandates for fiscal year 2002, MassHousing made a commitment to benchmark \$1,170,000 for Minority Business Enterprise (MBE) participation. MassHousing expended a total of \$7,862,716 for the Agency's procurement of goods and services. MassHousing exceeded its benchmark goal by expending, \$1,188,899 or 15% with MBE SOMWBA-certified contractors. For Women Business Enterprises, the Agency benchmarked a goal of \$1,160,000. This benchmark was also exceeded as the Agency expended \$1,160,481 or 14.8%, with SOMWBA-certified Women Business Enterprise (WBE) and Minority/Women Business Enterprise (M/WBE) vendors. (See Chart A)

This year, MassHousing achieves a lesser amount for MBE and WBE utilization than in previous years. This was attributable to the decrease in contract dollars awarded to one minority/woman-owned company as it winds down a multi-year contract. Going forward, the Agency is seeking to utilize a broader array of minority and women vendors.

**Please note: Awarded dollars and goal achievement for Minority Women Business Enterprises are counted in both Women and Minority Business categories*

MassHousing/HUD Demonstration Disposition Program- A Special Initiative

The HUD Demonstration Disposition Program is an innovative partnership between HUD and MassHousing, which will see 2,200 units of HUD-foreclosed housing in Boston renovated or rebuilt with ownership ultimately transferred to residents or resident-selected owners. As of July 2002, a total of \$258,531,535 had been awarded to general contractors for the construction phase of the program. Of the total construction dollars awarded, \$123,457,644 or 48% had been awarded to MBEs and \$26,541,965 or 10% to WBEs and M/WBEs.

As part of this initiative, MassHousing directly awarded design contracts for the provision of architectural services for developments in the Demonstration Disposition Program. (Generally, design services are the responsibility of the housing developers with whom MassHousing does business, not MassHousing itself.) Therefore, in this report, design, award and expenditure information is provided only for those architectural services contracted under the Demonstration Disposition Program. (See Charts B & C). As of FY2002, MassHousing has awarded a total \$26,882,591 for architectural and technical consultants. Of this amount, \$22,049,421 or 82% was awarded to MBE-owned architectural companies. WBEs and M/WBEs were awarded \$1,609,721 or 6% for design services.

Also, the Demonstration Disposition Program has enhanced contract opportunities for Minority and Women-Owned Businesses in two other important related service areas. As of FY2002, \$19,294,672 or 99% of the security service contracts have been awarded to MBE and M/WBE-owned companies. Property management services have expended \$10,053,440 or 45% of available dollars with MBE property management companies and MBE service/vendor subcontractors.

MassHousing Construction Projects - Statewide

For FY2002, MassHousing had 17 projects under construction with a total of \$ 126,155,382 dollars awarded. Of this amount, \$38,416,051 or 30% were awarded to MBEs and \$8,952,810 or 7% were awarded to WBEs and M/WBEs*. (See Chart C.)

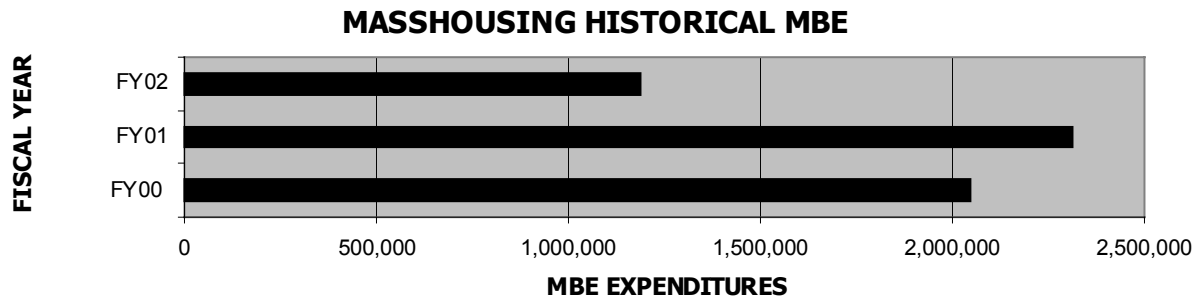
MassHousing Portfolio Properties Statewide FY'02 MBE Utilization

Of the 453 developments in MassHousing's portfolio reporting during FY2002, a total of \$143,258,317 was expended for supplies, equipment and services across the state. Of this total dollar amount, \$26,492,417 or 18.5% were attributed to MBE expenditures and \$10,377,382 or 7% to WBE expenditures.

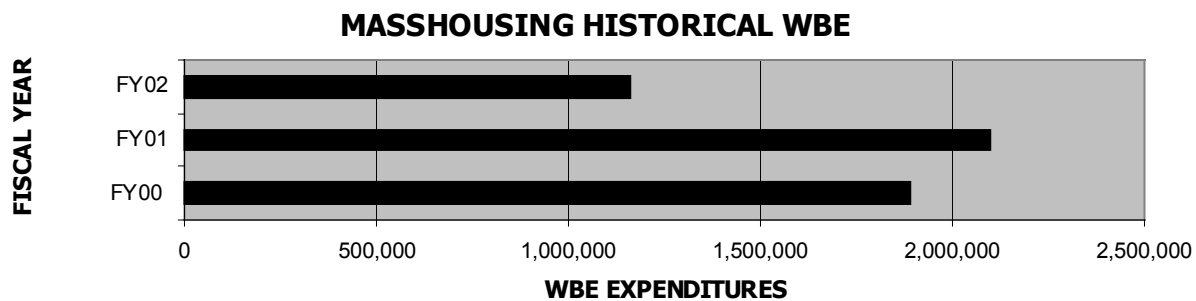
**Please note: Awarded dollars and goal achievement for Minority Women Business Enterprises are counted in both Women and Minority Business categories.*

MASSHOUSING**Historical Spending Trend Minority Business Enterprises (MBEs)***

MassHousing			
	FY00	FY01	FY02
MassHousing	2,047,515	2,314,702	1,188,899
Total	2,047,515	2,314,702	1,188,899

**MASSHOUSING****Historical Spending Trend Women Business Enterprises (WBEs)***

MassHousing			
	FY00	FY01	FY02
MassHousing	1,890,376	2,101,235	1,160,481
Total	1,890,376	2,101,235	1,160,481



**Please note: Expenditure dollars for Minority Women Business Enterprises are counted in both Women and Minority Business categories.*

**MASSHOUSING
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
GOODS AND SERVICES**

MINORITY BUSINESS ENTERPRISE MASSHOUSING								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Massachusetts Housing Finance Agency	8,316,676	2,179,101	(1,011,109)	1,170,000	1,188,899	-	1,188,899	18,899
TOTAL	8,316,676	2,179,101	(1,011,109)	1,170,000	1,188,899	-	1,188,899	18,899

WOMEN BUSINESS ENTERPRISE MASSHOUSING								
	FY02	2Yr (00/01)	FY02	FY02 MBE	Final	Sub- Contractor Payments	Total FY02	Variance
	Disc. Base	Average	Proj. Incr	Benchmark	Expenditures		Expenditures	
Massachusetts Housing Finance Agency	8,316,676	1,967,247	(835,806)	1,160,000	1,160,481	-	1,160,481	481
TOTAL	8,316,676	1,967,247	(835,806)	1,160,000	1,160,481	-	1,160,481	481

MASSHOUSING

CONSTRUCTION
&
DESIGN

**MASSHOUSING
AFFIRMATIVE MARKET PROGRAM
FY02 EXPENDITURE REPORT
CONSTRUCTION AND DESIGN EXPENDITURES**

MASSHOUSING						
FY02 CONSTRUCTION EXPENDITURES*						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 EXPENDITURES (Col.3+4)	VARIANCE (Col.5-2)
MassHousing**	66,788,721	23,264,345	31,373,552	7,125,788	38,499,340	5,234,995
Total	66,788,721	23,264,345	31,373,552	7,125,788	38,499,340	15,234,995

**MassHousing Portfolio Construction Expenditures Data Only

MASSHOUSING						
FY02 DESIGN EXPENDITURES*						
	1	2	3	4	5	6
	FY02 Total Expenditures	FY02 M/WBE Benchmark	MBE Expenditures	WBE Expenditures	FY02 EXPENDITURES (Col. 3+4)	VARIANCE (Col.5-2)
MassHousing***	25,065,427	10,026,170	21,311,997	1,396,162	22,708,159	12,681,989
Total	25,065,427	10,026,170 #	21,311,997	1,396,162	22,708,159	12,681,989

***MassHousing/HUD Demonstration Design Data Only

**Please note: Expenditure dollars for Minority Women Business Enterprises are counted in both Women and Minority Business categories.*

MASSHOUSING AFFIRMATIVE MARKET PROGRAM FY02 EXPENDITURE REPORT CONSTRUCTION AND DESIGN AWARDS

MASSHOUSING SUMMARY						
FY02 CONSTRUCTION AWARDS*						
	1	2	3	4	5	6
	FY02 Total Total Awards	FY02M/WBE Benchmark	MBE Awards	WBE Awards	FY02 Awards (Col.3+4)	VARIANCE (Col.5-2)
MassHousing**	126,155,382	39,345,841	38,416,051	8,952,810	47,368,861	8,023,020
TOTAL	126,155,382	39,345,841	38,416,051	8,952,810	47,368,861	8,023,020

**MassHousing Portfolio Construction Awards Only

STATEWIDE SUMMARY						
FY02 DESIGN AWARDS*						
	FY02 Total Awards	FY02 M/WBE Benchmark	MBE Awards	WBE Awards	FY 02 Awards (Col.3+4)	VARIANCE (Col.5-2)
MassHousing***	26,882,591	10,753,036	22,049,421	1,609,721	23,659,142	12,906,106
TOTAL	26,882,591	10,753,036	22,049,421	1,609,721	23,659,142	12,906,106

***MassHousing/HUD Demonstration Design Data Only

APPENDIX

APPENDIX A

EXECUTIVE ORDER 390

***"ESTABLISHING AN
AFFIRMATIVE MARKET PROGRAM
IN PUBLIC CONTRACTING"***

EXECUTIVE ORDER 390

AFFIRMATIVE MARKET PROGRAM IN PUBLIC CONTRACTING



THE COMMONWEALTH OF MASSACHUSETTS
Executive Department
State House Boston 02133
(617) 727-3600

ARGEO PAUL CELLUCCI
GOVERNOR

CHARLES D. BAKER
SECRETARY

By His Excellency

WILLIAM F. WELD
GOVERNOR

EXECUTIVE ORDER NO. 390

ESTABLISHING AN AFFIRMATIVE MARKET PROGRAM
IN PUBLIC CONTRACTING

WHEREAS, The Commonwealth has an affirmative responsibility to develop and maintain equitable practices and policies in the public marketplace;

WHEREAS, a diverse business community strengthens the state economy and is beneficial to all of the citizens of the Commonwealth;

WHEREAS, in 1990, the Massachusetts Commission Against Discrimination conducted hearings and investigations which documented a history of discrimination against minorities and women in the Commonwealth, and in 1994, the Executive Office of Transportation and Construction produced a Disparity Study which documented a history of discrimination against minority and women owned businesses, in which the Commonwealth's agencies were participants;

WHEREAS, this discrimination against minorities and women currently affects the utilization of minority and women owned businesses in state contracting;

WHEREAS, the Commonwealth has a compelling interest in redressing the effects of past discrimination through the utilization of the available and qualified pool of minority and women owned businesses;

NOW, THEREFORE, I, WILLIAM F. WELD, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, and Lieutenant Governor ARGEO PAUL CELLUCCI, do hereby order as follows:

Section 1.**Declaration of Policy** .It is the policy of the Commonwealth to promote equality in the market and, to that end, to encourage full participation of minority and women owned businesses in all areas of state contracting, including contracts for construction, design, goods and services.

Section 2.**Affirmative Market Plans**. The Commonwealth has a compelling interest in using racial and gender based classifications for the purposes of remedying past discrimination and promoting other, non-remedial objectives such as the delivery of effective human services in the areas of public health, safety and welfare.

Subject to the approval and direction of the Secretary of Administration and Finance, all executive offices, agencies, departments, boards and commissions of the Commonwealth (hereinafter referred to as "Agency" or "Agencies") are hereby directed to implement the narrowly tailored affirmative market program set forth in this Executive Order which shall include race and gender conscious goals where necessary to eliminate disparity between minority or women owned businesses (M/WBEs) and other business entities in the relevant market, defined as the Commonwealth of Massachusetts.

For purposes of this Executive Order, "minority" shall be defined as a permanent resident of the U.S. operating a business .within the Commonwealth who is black, Western Hemisphere Hispanic, Asian, American Indian, or Cape Verdean, and a "Minority Business Enterprise" (MBE) as a minority business certified by the State Office of Minority and women Business Assistance (SOMWBA) or another state Agency. A "Woman Business Enterprise" (WBE) shall be a business certified as such by SOMWBA or another state Agency.

Goals for M/WBE participation in state funded contracts shall be based upon the broadest and most inclusive pool of available M/WBEs capable of performing the contracts and interested in doing business with the Commonwealth in the areas of construction, design, goods and services. SOMWBA, or its successor, shall create and maintain a current directory of certified M/WBEs which will serve as one source of information in determining the pool of available M/WBEs. Goals shall be established by the Secretary of Administration and Finance, or his/her designee, and shall be expressed as overall annual program goals, applicable to the total dollar amount of an Agency's contracts awarded during the fiscal year for each of the Agency's types of contracts. The goals established in Section 1.2 of Executive Order 237 shall remain in effect until revised goals are developed pursuant to this Executive order, which shall occur promptly, but in no event later than January 1, 1997. Goals developed pursuant to this Executive Order shall be revised as necessary for the fiscal year beginning July 1, 1997 and at least every two years thereafter.

The Secretary of Administration and Finance, or his/her designee, shall develop a procedure by which Agencies may, for an individual contract, adjust the goals for M/WBE participation (whether the goals are established pursuant to Executive Order 237 or pursuant to this Executive Order) based upon actual availability, geographic location of the project, the contractual scope of work or other relevant factors.

The Secretary of Administration and Finance, or his/her designee, shall develop a good faith efforts waiver procedure by which Agencies may determine, at any time prior to the award of the contract, that compliance with the goals is not feasible and by which Agencies may reduce or waive the goals for an individual contract.

Recognizing the importance of joint ventures and partnerships involving M/WBEs in increasing the participation of M/WBEs in state contracting, the Secretary of Administration and Finance, or his/her designee, shall develop guidelines and procedures for Agencies to follow in contracting with such entities. Such guidelines and procedures shall seek to encourage the development of joint ventures and partnerships for the purpose of contracting with the Commonwealth.

In connection with the affirmative market program, SOMWBA shall regularly review and, where necessary, modify its certification process to ensure that it operates effectively, and shall report annually to the Secretary of Administration and Finance.

Section 3. Capacity Development. The Massachusetts Office of Business Development (MOBD), or its successor, is hereby designated the state Agency responsible for providing a capacity development program to M/WBEs and other interested businesses seeking to do business with the Commonwealth. The capacity development program shall include, but is not limited to, the following core areas of business development: strategic planning, financial management planning, human resource-management and planning, information technology access and management, and . marketing.

MOBD shall report annually to the Secretary of Administration and Finance on its progress in assisting M/WBEs and other businesses.

Contracting Agencies of the Commonwealth shall supplement the capacity development program provided by MOBD with industry specific assistance, training, education and procurement information.

Section 4. Program Oversight, Enforcement and Reporting Requirements. The Secretary of Administration and Finance shall be responsible for the overall management, monitoring and enforcement of the program established pursuant to this Executive Order. A Program Director shall be designated within the Executive Office of Administration and Finance to assist in program development, coordination and compliance. A Director of Enforcement shall be designated within the Executive Office of Administration and Finance with responsibility for monitoring contract compliance across all Agencies, addressing potential program violations and coordinating Agency enforcement activities with SOMWBA and the Attorney General.

Each Secretary and Agency head shall designate a highly placed individual charged with management of this program. Each Secretary and Agency head may designate such other personnel as they deem necessary to support the implementation, monitoring and enforcement of this program and the coordination of those functions. Each Secretariat shall ensure that Agencies establish, subject to guidelines developed by the Secretary of Administration and Finance or his/her designee, special provisions that serve as governing standards for contract compliance. It is the intention of this Executive Order that the principles underlying the affirmative market program be incorporated into the fabric of general management in state government.

Each Secretariat shall report annually to the Secretary of Administration and Finance on the effectiveness of the program, including a report of the total dollar amounts awarded and actually paid to M/WBEs in all areas of state contracting. The Secretary of Administration and Finance shall report annually, within ten weeks of the issuance of the Annual Financial Report by the Office of the Comptroller, to the Minority and Women Business Enterprise Oversight Committee established by this Executive order and to the Governor.

Section 5.Minority and Women Business Enterprise Oversight Committee. The Secretary of Administration and Finance shall appoint a Minority and Women Business Enterprise Oversight Committee, not to exceed twenty members, which shall assist the Secretary in the implementation of this Executive order. Oversight Committee members shall serve for two year terms, except that in the initial appointments, one half shall be appointed to one year terms, and one half shall be appointed to two year terms. Members may serve a maximum of three (3) full two year terms.

Section 6.Independent Authorities and Public Institutions of Higher Learning. Independent authorities and public institutions of higher learning are encouraged to adopt M/WBE policies and programs consistent with this Executive Order.

Section 7.Sunset Provision. The Executive Office for Administration and Finance shall review the program described in this Executive Order at least every five years. The review shall determine: whether the objectives are being met; whether the conditions giving rise to the Order continue to exist; whether race and gender neutral measures are capable of addressing the effects of discrimination without the other measures specified in the order; and whether the program described in the Order should be modified or sunsetted.

Section 8. Effective Date. With the exception of the goal component of the affirmative market program, as set forth in Section 2 of this Executive order, all provisions of this Executive Order are effective immediately. The goal component of Order 237, as set forth in Section 1.2 of Executive Order 237, shall remain in effect until revised goals - are developed pursuant to Section 2 of this Executive Order, but in no event shall it remain in effect beyond January 1, 1997. All other provisions of Executive Order 237 are hereby immediately revoked.

Given at the Executive Chamber in Boston this 6th day of August in the year one thousand nine hundred and ninety-six.

William F. Weld, Governor
Commonwealth of Massachusetts

Argeo Paul Cellucci, Lieutenant Governor
Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS

APPENDIX B

AFFIRMATIVE MARKET PROGRAM

PROCUREMENT LANGUAGE

AFFIRMATIVE MARKET PROGRAM PROCUREMENT LANGUAGE

AFFIRMATIVE MARKET PROGRAM

Historical Background

The Affirmative Market Program (AMP) currently housed at OSD, was established in August of 1996 through Executive Order 390 (EO390) as signed by then Governor Weld and Lt. Governor Cellucci “Establishing an Affirmative Market Program in Public Contracting”. It establishes a policy to promote the award of state contracts in a manner that develops and strengthens certified Minority and Women Business Enterprises (M/WBEs). As a result, Bidders are strongly encouraged to develop creative initiatives to help foster business relationships with State Office of Minority and Women Business Assistance (SOMWBA) certified M/WBEs with commitments either for their development and growth, as joint venture partners, as subcontractors or other initiatives.

In establishing Executive Order 390 the “Commonwealth has affirmed responsibility to develop and maintain equitable practices and policies in the public marketplace.” The hearings and investigations that both the Massachusetts Commission Against Discrimination and the Executive Office of Transportation and Construction conducted produced the documentation necessary to demonstrate the purpose of Executive Order 390. Therefore all executive offices, agencies, departments, boards, and commissions of the Commonwealth (hereafter referred to as “agency”) are directed to implement the narrowly tailored Affirmative Market Program.

Subject to the approval of the Secretary of Administration and Finance or his/her designee all participating state agencies and authorities shall set annual benchmarks for spending with minority- and women-owned businesses. A diverse business community strengthens the economy and is beneficial to all of the citizens of the Commonwealth of Massachusetts.

Management Responsibilities

The Executive Director of the Affirmative Market Program monitors compliance of AMP objectives and reports directly to the Secretary of Administration and Finance and the state’s Purchasing Agent. Secretary and Agency heads shall designate a highly placed individual charged with management of this program within their agencies. These AMP Coordinators are responsible for the implementation and enforcement of this program and the coordination of those functions.

All managers are responsible for improving their agency performance in the AMP by assisting in the success of meeting their annual benchmarks and increasing contracts with M/WBEs. In “recognizing the importance of joint ventures and partnerships involving M/WBEs” and “increasing the participation of M/WBEs in state contracting”, the Governor’s Diversity Initiative has included the Affirmative Market Program as a mandated objective. These performance standards for managers reflect the Commonwealth’s commitment to EO 390.

All agencies and participating authorities shall adhere to the mandate of Executive Order 390, which states, “it is the intention of this Executive Order that the principles underlying the Affirmative Market Program be incorporated into the fabric of general management in state government”. To achieve this there must be a coordination of efforts in purchasing which would include Affirmative Market Coordinators, procurement, purchasing, fiscal staff and procurement management teams.

General Guidance

Affirmative Market Program Opportunities for Incidental Purchases Under \$5,000

An incidental purchase is defined as a one-time purchase, or a series of purchases for a one-time non-recurring need. The total dollar value cannot exceed the department or object code (OBJ2) transaction thresholds for incidental purchases. Pursuant to Executive Order 390, Departments should always consider using SOMWBA certified Minority and Women-Owned Business Enterprises (M/WBE) for incidental purchases. A listing of SOMWBA certified businesses is located at www.mass.gov/somwba. These purchases would assist the department in reaching their annual Affirmative Market benchmarks.

Affirmative Market Program Opportunities for Small Procurements Under \$50,000

When departments need to conduct procurements under \$50,000.00, they should approach this as an opportunity to further AMP activity and meet their program benchmarks by taking the following steps:

- Include their agency's AMP coordinator in the selection of the bidders and the bidding process for input.
- Consider that small procurements need not be posted on Comm-PASS. This allows the agency the opportunity to strongly consider a SOMWBA certified business.
- The RFR must be sent to a minimum of three bidders, though 3 responses are not required. Using the SOMWBA certified business list at www.state.ma.us/somwba or the OSD statewide contract certified vendor list at comm-PASS@state.ma.us, the agency can identify potential bidders.
- Written response by the bidder may include the Affirmative Action Plan Form. Although this form is not required for small procurements, it can be a productive tool to inform bidders further of the Commonwealth's commitment to the Affirmative Market Program.
- Evaluation of the response should take into consideration the "best value" criterion and may also consider the certification status of the bidders (if the procuring agency has completed due diligence research to identify patterns of inequality) as agencies consider opportunities for meeting benchmarks.

Affirmative Market Program Requirements for Large Procurements Over \$50,000

- All large procurements over \$50,000 must include language that requires the submission of an Affirmative Market Program Plan. The mandatory language and sample plan are included in the appendix. To assist and encourage bidders' participation in the Affirmative Market Program (AMP), the AMP Plan submitted by a bidder must be evaluated at 10% or more of the total evaluation. The Contract Manager, PMT and AMP Coordinator have the discretion to require at least one or more components of the AMP Plan are included in the bidder's submission in order for a bidder to receive total scoring. The components include the following areas: subcontracting, growth and development, ancillary uses, past performance, or other creative initiatives.
- In addition to the requirement that an Affirmative Market Program Plan be included in all procurements over \$50,000, SOMWBA certified businesses are strongly encouraged to submit responses and bid on RFR's regardless of the size of the procurement or contract. Agencies may award additional points to SOMWBA certified bidders under certain circumstances (see below). This additional scoring is above and beyond the points that may be awarded to SOMWBA certified bidders who submit an AMP Plan with their response to the RFR.

Please Note: Before awarding additional points to SOMWBA certified primary contractors and procuring agencies must research and analyze the availability and utilization by the Commonwealth of M/WBEs for the specific commodity or service being procured. This research must be conducted with sufficient documentation of any possible history of disparity among certified vendors. Reference materials could include utilization studies, disparity studies, or availability analysis that documents a history of under-utilization of M/WBEs. In addition, records of public hearings and other anecdotal evidence of such under-utilization, if available, should be documented. The research and resulting documentation produced by the contract manager or the procurement management team should be compelling to substantiate the disparity and support the decision to provide an additional 5% or more of the total score to SOMWBA certified businesses. Any newly conducted fact finding utilization studies, availability analysis or studies of this type will be posted on a regular basis on the AMP website at www.state.ma.us/eoaf/amp. Absent this analysis, procuring agencies should not be awarding additional points or weight solely on the basis of SOMWBA certification unless an agency has mandated workforce goals. The AMP directors and AMP Coordinators are available to provide further guidance. Questions regarding this requirement may also be directed to each agency's general counsel or the legal unit at OSD.

- While agencies have flexibility in determining what to request and require in a bidder's Affirmative Market Program Plan, it is the agency's responsibility to develop an approach that will result in each agency meeting its annual AMP benchmarks. Once an AMP Plan is submitted, negotiated and approved, the procuring agency can then monitor the contractor's performance, and use actual expenditures with SOMWBA certified contractors and subcontractors to fulfill their own AMP expenditure benchmarks. M/WBE participation must be incorporated into and monitored for all types of procurements regardless of size, however, the AMP Plan is mandated only for large procurements over \$50,000.

- Each participating executive branch agency and authority has assigned an AMP Coordinator to oversee the AMP plans and to set AMP benchmarks. The Contract Manager and/or Affirmative Market Program Coordinator should use discretion in the benchmark setting process in order to set benchmarks that are realistic and attainable. The percentage of the benchmark should be assessed by the Contract Manager or PMT and evaluated and reviewed by the Affirmative Market Program Coordinator. When the scope of the contract and vendor pool availability allows, it is the expectation that benchmarks will increase each year of the contract. Possible methods and tools for research of certified vendor availability for the geographic areas covered by the RFR can include: querying the SOMWBA website, looking at the M/WBE on statewide contracts listing, maintaining your own certified vendor files and data base, outreach activities to community based organizations working with minority and women entrepreneurs and communication with AMP Directors and other AMP Coordinators.

Please refer to the appendix for specific examples and suggestions that agencies should consider when developing Affirmative Market Program Plan language. A sample AMP Plan Form may be found in the appendix section.

Components of an Affirmative Market Program Plan

The AMP RFR methodology used here is a guideline meant to address items in an AMP Plan. It should be adapted to fit the specific needs of each contract and RFR. Higher evaluation points should clearly be awarded to AMP Plans that show more initiatives, use of certified vendors in the primary industry (defined as the industry directly related to the specified contract), subcontracting expenditure commitments and partnerships for the purpose of contracting with the Commonwealth of Massachusetts.

Agencies may consider requiring all or some of the following components as part of the Affirmative Market Program Plan submitted by bidders:

1. Subcontracting: Bidders may be asked to include expenditure commitments and copies of subcontracting agreements, MOU's (Memos of Understanding) or otherwise binding commitments between the bidder and certified M/WBE firms.
2. Growth and Development: Bidders may be asked to submit a plan for education, training, mentoring, resource sharing, joint activities, and assistance in attaining SOMWBA certification that would increase industry capacity and the pool of qualified SOMWBA certified companies. Other creative initiatives should be encouraged under this option.
3. Ancillary Uses of Certified M/WBE Firm(s): Bidders may be asked to include expenditure commitments for use of certified M/WBE firm(s) with or without the use of written commitments between the bidder and M/WBE firm(s). A description of the ancillary uses of certified M/WBEs, if any, must be in the AMP Plan Form.
4. Past Performance: Bidders may be asked to include information on past expenditures with certified M/WBEs for the previous two years.
5. In Addition: Agencies are encouraged to include additional incentives for bidders to commit to at least one SOMWBA certified MBE and at least one certified WBE in the submission of their AMP Plans.

Additional information and examples of these five approaches can be found in the appendix.

Planning for the Affirmative Market Program Plan in a Procurement

Agencies are directed to implement a narrowly tailored AMP. The following steps are important considerations when developing AMP language in an RFR:

- ✓ Include AMP Coordinators or their designees as PMT participants or advisors.
- ✓ Research the SOMWBA certified vendor pool availability, industry capacity and climate.
- ✓ Determine an appropriate AMP approach (see appendix for options).
- ✓ Require a formal Affirmative Market Program Plan from all bidders (for large procurements).
- ✓ Identify compliance and reporting methodologies.
- ✓ Determine how the AMP Plan will be evaluated (10% of the total evaluation is the required minimum for large procurements).
- ✓ Include additional weight of 5% or more for SOMWBA certified businesses if an agency has determined that a disparity exists and that additional weight would correct this disparity.
- ✓ Negotiate the AMP Plan with the selected bidders before contract signing.

NOTE: A copy of EO390 is included in the appendix. In addition, a directory of SOMWBA certified firms is available via the Internet at www.mass.gov/somwba. A Minority Business Enterprise (MBE) or a Woman Business Enterprise (WBE) is defined as a business that has been certified as such by the State Office of Minority and Women Business Assistance

(SOMWBA). Minority- and women-owned firms that are not currently SOMWBA-certified but would like to be considered as an M/WBE for an RFR should apply for certification. An application is available, and should be filed with SOMWBA in order to be considered as such during the evaluation process. Documentation of having applied for SOMWBA certification must be included as part of the bidder's response. For further information on SOMWBA certification, contact the State Office of Minority and Women Business Assistance at (617) 727-8692 or via the Internet at www.mass.gov/somwba. Other resources are available to M/WBE firms that may qualify for SOMWBA certification. See www.state.ma.us/eoaf/amp, <http://CommPASS@state.ma.us> or www.mass.gov.

Negotiations of the AMP Plan Before Contract Signing

Prior to signing a contract, agencies may negotiate a benchmark or target for spending with SOMWBA certified M/WBEs for the duration of the contract, but only to increase what was committed in the original response.

- This benchmark should be based on a reasonable and verifiable methodology within the context of their projected revenues (if available) for the new contract, the Bidder's past history with M/WBE firms (if applicable), actual availability of certified M/WBEs, geographic location of the project, scope of contractual work and/or other relevant factors.
- This benchmark is a commitment by the Bidder. This negotiation will **not** result in an increase in the evaluation scores for bidders. It is in the best interest of bidders to propose a comprehensive AMP plan with their original proposal since AMP plan evaluation scores will be based on the original proposals (with possible clarifications and BAFOs [Best and Final Offer] if used).
- For Bidders who have previously done business with SOMWBA certified M/WBEs, negotiations will be based within the context of the Bidder's expenditures with M/WBEs for the past two years and projected increases with available SOMWBA certified M/WBEs for the new contract.

The AMP Plan Implementation

Agencies need to develop their own deliverables for AMP Plan implementation. The ultimate outcome being sought is the successful partnering between private businesses, certified vendors, and the Commonwealth of Massachusetts to participate in the Affirmative Market Program.

- The PMT, AMP Coordinator or contract manager will set timelines for progress reviews for the purpose of compliance and tracking of contractor's benchmark. Reviews will be conducted either quarterly or semi-annually as determined by the PMT, AMP Coordinator or contract manager. The importance for maintaining such scheduled reviews is to proactively address any issues or difficulties in a timely manner during the use of the contract. This would allow the opportunity to set a strategic plan for M/WBE use with the contractor prior to the annual review to ensure a positive outcome of benchmark evaluations.
- Contractors may be required to show gross revenues on the contract, expenditures with M/WBE firms, copies of checks to M/WBE subcontractors, current worker's compensation contributions, current unemployment insurance policy and other information to verify progress in meeting the benchmarks. In those cases where AMP plan commitments were proposed in a bidder's response based on expected Commonwealth revenues, and the level of Commonwealth spending is less than projected, adjustments will be considered accordingly during the contract review period. Bidders should be advised of this possibility in the RFR so as not to discourage their interest and participation in Commonwealth solicitations. Contractors should report any difficulties in meeting AMP Plan commitments to the contract manager, PMT or AMP Coordinator as soon as they occur.
- Benchmarks will be evaluated every year at the anniversary date or at the time of contract renewal.
- Compliance with the AMP Plan is a contractually required, material condition of the contract.

Guidelines for Monitoring and Enforcing Compliance of AMP Plan

The Executive Office for Administration and Finance (ANF) and the Operational Services Division (OSD) jointly issue the AMP portion of the RFR for use by agencies and their departments. It is the expectation that all parties act in good faith in the execution of this AMP policy. The prime contractor should immediately communicate any difficulties relative to compliance

with AMP requirements to the contract manager, PMT or AMP Coordinator. Once the contract manager, PMT or AMP Coordinator has had an opportunity to make an assessment of the circumstances and issues involved, appropriate measures or steps will be taken to address any concerns or issues of non-compliance for all parties involved. A contractor may be considered out of compliance with the AMP plan under certain conditions including the following:

- If the timeline of the benchmark is not met;
- If the AMP form (s) or verification (s) of certification, or verification of expenditures with M/WBEs are materially incomplete by the due date or otherwise not submitted in accordance with the contract requirements; and/or
- If any change in or substitution to identified M/WBEs is made without prior notification to and approval of the contract manager or AMP Coordinator.

If the contractor or subcontractor is not in compliance with the terms agreed to in the AMP Plan, the contract manager or AMP Coordinator should work closely with the contractor to resolve any outstanding issues. This may involve informal discussions with the contractor about the specific AMP related problem and include a joint meeting with the contractor to discuss the issue. The contractor shall provide information as is necessary in the judgement of the contract manager, PMT or AMP Coordinator to ascertain its compliance with the terms agreed to in the AMP Plan.

If no resolution occurs and the problem continues, more formal steps should be taken, including the following:

1. Written notice from the contract manager, PMT or AMP Coordinator to the contractor, describing the problem, proposed solution and response time required, with a copy of the notice to the PTL and OSD, if applicable.
2. Follow-up meetings with the contractor.
3. Formal corrective action plans may be initiated with written notice from the procuring agency or OSD, as appropriate, if no resolution has occurred at this point.
4. At any time during non-compliance with the AMP Plan and depending upon agency-established internal control procedures, the contract manager, PMT or AMP Coordinator, in conjunction with the responsible accounts payable person, may review invoices upon receipt for the purpose of determining whether to reject said invoices. Any rejected invoices will be returned with a written explanation for its rejection.
5. Upon notice to the contractor, an agency may impose a penalty fee or suspend a contract until a contractor has resolved the AMP non-compliance.
6. If a contractor's poor performance in meeting their AMP Plan benchmarks is serious enough to suggest contract termination, debarment or disqualification actions, then the matter should be referred to the agency's legal counsel.

The contract manager, PMT or AMP Coordinator should maintain sufficient documentation of all written or verbal communication to support the actions taken to resolve any non-compliance issues with the AMP Plan.

Guidelines for AMP Plan Exemptions

Although submission of an AMP is required for all procurements over \$50,000, OSD recognizes that there may be unique circumstances whereby a PMT or AMP Coordinator may need to exercise some discretion in implementing this requirement. Examples of this might include procurements that result in the establishment of "qualified lists" of contractors, or in those cases where a significant number of small or individually owned and operated businesses are expected to respond to a procurement. In these cases the PMT may determine that requiring a prospective commitment to a percentage or fixed dollar amount through sub-contracting or ancillary arrangements at the onset of the contract might discourage bidders from responding. OSD does not expect that this will happen often, but where the PMT or AMP Coordinator believes this to be the case, it may exercise some discretion in AMP Plan implementation. The PMT or AMP Coordinator may request a waiver in writing to the AMP office in those cases where a bidder can clearly document that requiring submission of an AMP Plan would present a hardship and would impede their participation in any contracting opportunity. The AMP office will respond to all waiver requests within 10 working days.

If an AMP waiver is approved and a contract signed with the bidder, all parties including the contractor (s) identified in the waiver, AMP coordinator, and PMT must agree to work towards implementation of a contractor specific AMP plan during the

life of the contract. The AMP Director or designee may follow up periodically with departments that have received waivers to assess status and progress towards implementation of an AMP plan during the life of the contract.

Components of A Bidders AMP Plan

While agencies have flexibility in determining what to request and require in an Affirmative Market Program Plan, it is the agency's responsibility to develop an approach that will result in each agency meeting its annual AMP benchmarks. When drafting the AMP Plan agencies should determine, based on the scope of the contract and "best value" practices, the components of the AMP plan that will be required in a bidder's response, keeping in mind that building M/WBE capacity within all industries will allow for a larger pool of qualified bidders in the future.

AMP Plan Options

Agencies have the flexibility to select all or some of the following components for inclusion in the required AMP Plan:

- 1.) Projected benchmark (s) or commitment (s) to future expenditures during the life of the contract with M/WBE(s) through Subcontracting. Responses must include expenditure commitments and copies of subcontracting agreements, MOUs (Memo of Understanding) or otherwise binding commitments between the bidder and M/WBE firms.
- 2.) Projected benchmark (s) or commitment (s) to future expenditures during the life of the contract with M/WBE(s) through Growth and Development. Responses must include commitments for expenses for education, training, mentoring, resource sharing, joint activities, and assistance in attaining SOMWBA Certification and other creative initiatives.
- 3.) Projected benchmark (s) or commitment (s) to future expenditures during the life of the contract with M/WBE(s) through Ancillary Uses of M/WBE firm(s). Responses must include expenditure commitments from the bidder for use of M/WBE firm(s) with or without the use of written commitments between the bidder and M/WBE firm(s). Description of the ancillary uses of M/WBEs must be in the AMP Plan Form.
- 4.) Request information on a bidder's past performance (in the last 2 years) and expenditures with certified M/WBEs.
- 5) In addition, agencies are encouraged to include additional incentives for bidders to commit to at least one SOMWBA certified MBE and at least one SOMWBA certified WBE in each AMP plan submitted. A description of bidder capacity or use of these M/WBEs should be included in the AMP plan.

Additional Guidance

- To assist agencies in establishing reasonable and realistic AMP benchmarks in each contract, the following formula may be helpful. It is at the discretion of the contract manager to decide which methodology best meets his/her needs according to their specific RFR.

Prior Two Year Average M/WBE Expenditures (If Applicable)	+	Projected Additional Expenditures With M/WBE (For Each Year Of The Contract)	=	M/WBE Benchmark (For Each Year Of The Contract)
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- When both MBEs and WBEs are included in a bidder's AMP response, a separate benchmark should be submitted for each in order to track M/WBE usage and spending separately.
- Benchmarks are expected to increase yearly when factors allow.

- For Bidders that have not previously done business with SOMWBA certified M/WBEs, benchmarks should be negotiated based on vendor pool availability of certified M/WBEs, the total contract amount, M/WBE availability, geographic location of the project, scope of contractual work or other relevant factors.
- Bidders should be encouraged to research available SOMWBA certified M/WBE vendor pools.
- The Contract Manager or Affirmative Market Coordinator will set timelines for progress reviews for the purpose of compliance and tracking of contractor's benchmark either quarterly or mid-year. Reports from contractors will be required to show gross revenues on the contract and expenditures with certified M/WBE firms to verify progress in meeting the benchmarks. Benchmarks will be evaluated every year at the anniversary date or at the time of contract renewal.

Sample Affirmative Market Plan Form

OSD has developed the attached sample Affirmative Market Plan form that may be used by agencies when issuing RFRs over \$50,000. Use of this specific form is not required; agencies have the flexibility to develop their own forms to capture and evaluate the AMP plans submitted by bidders. If alternative forms are developed, the following information should, at a minimum, be requested:

- A separate AMP Plan Form to be submitted with each bidder's response (one copy for each MBE/WBE) to document the requirements and assist in the evaluation.
- Names, addresses, phone numbers, fax numbers, email addresses, and contact persons of SOMWBA Certified M/WBE firms proposed within each AMP Plan.
- A description of each business relationship to be established and how the proposed relationship(s) will result in increased participation of SOMWBA certified M/WBEs in the delivery of commodities and services to the Commonwealth.
-
- The actual dollar amounts (benchmark) or percentage of total funds, to be spent with each SOMWBA certified MBE and/or WBE firm in each twelve-month period related to the contract (if the contract extends over 1 or more years). The contract manager, PMT or AMP Coordinator can request a bidder to submit a benchmark committing to an actual dollar amount, percentage of total funds or give the bidder the option to select the option they prefer.
- The actual dollar amounts spent with each MBE and/or WBE firm in the last 2 years (if applicable).
- A copy of the current SOMWBA certification letter or verification of the fast track application that was submitted to SOMWBA for each MBE or WBE firm.



Affirmative Market Program

Commonwealth of Massachusetts

AFFIRMATIVE MARKET PROGRAM (AMP) FORM

Pursuant to Executive Order 390, any contract with a potential financial benefit of \$50,000 or more requires a bidder to complete applicable sections of this form and include the required attachments for consideration in the scoring of their submission for any contracting opportunity with the Commonwealth of Massachusetts.

Bidder Name:

RFR Name/Title: _____ RFR Number: _____

Contact Name: _____

Phone: () _____

Fax: () _____

Email address: _____

Company Address: _____

Is Bidder SOMWBA Certified? Yes ☐ No ☐

Bidders must submit one form for each M/WBE Business Relationship

The bidder's business relationship is with:

Please Check (Only One Per Form): _____ MBE _____ WBE _____ M/WBE _____ M/W Non Profit
SOMWBA Certification Number & Expiration Date (Copy of SOMWBA certificate must be attached): _____

Check type of business relationship that applies. Departments may consider requiring all or some of the following components as part of the AMP Plan submitted by bidders.

- _____ 1. Subcontract: verification of expenditure commitments.
- _____ 2. Growth & Development: plan for education, training, mentoring, resource sharing, other initiatives.
- _____ 3. Ancillary: verbal or written expenditure commitments
- _____ 4. Past Performance: past expenditures with certified M/WBEs for previous 2 years.
- _____ 5. Additional Creative Initiatives: description needed:

1. Please complete this Section if the business relationship is Subcontract:

Committed Expenditures: Year 1: \$ _____

Benchmark: Year 2: \$ _____ Year 3: _____ Year 4: \$ _____ Year 5: \$ _____

Note: All expenditures for Subcontractors require a contract agreement between Bidder & M/WBE.

Description of commodities or services acquired from subcontractor (attach additional pages as necessary): _____

2. Please complete this section if the business relationship is Growth & Development:

Please provide a narrative here that describes your approach in building the capacity of the M/WBE, including deliverables or measurable outcomes and anticipated dates of completion which can be validated during the contract. (Attach additional pages as necessary):

3. Please complete this section if the business relationship is Ancillary:

Committed Expenditures: Year 1:\$ _____
Benchmark: Year 2: \$ _____ Year 3: \$ _____ Year 4: \$ _____ Year 5:\$ _____
Total \$ _____ for all years with a written contract.
Total \$ _____ for all years with a verbal agreement.
Description of commodities or services M/WBE will provide (continue on additional pages as necessary):

4. Please complete this section for consideration relating to Past Performance (or spending with certified minority- or women-owned businesses):

Expenditures for the past 2 years: \$ _____ in Year 200 ____ ; \$ _____ in Year 200 ____.
Description of these expenditures for commodities or services (continue on additional pages as necessary):

5. Please complete this section for consideration relating to any Additional Incentives:

Please provide a description of any creative approaches to partnering with certified businesses (continue on additional pages as necessary):

Certification: I hereby certify under the pains and penalty of perjury that the information above is correct, to the best of my knowledge:

(Signature of Authorized Signatory of Bidder)

(Print Name)

(Title)

(Business Name)

(Date)

EVALUATION of the AMP PLAN

An Agency's evaluation of the AMP Plan should be based primarily on how well it demonstrates the development and strengthening of Minority and Women Business Enterprises (M/WBEs) within the service area defined by the RFR. Participation of M/WBEs should be considered a "best value" criterion in the procurement process. The following are recommendations or guidelines that can be used as an evaluation tool and adapted to your RFR. You can make your own RFR/Evaluation components or choose other components and scores that best suit the industry and types of contractors the PMT has targeted for the contract. Thoughtful discussions within the PMT and with the AMP Coordinators will provide the best components in the AMP Plan for the particular procurement.

OSD has developed a sample evaluation-grid for the AMP by component options, which includes definitions, information to request from bidders and other helpful information. Agencies should make their own evaluation-scoring sheet based on the AMP components selected for that particular RFR. Scores may be based on a poor, fair, good, very good or excellent rating, on a mathematical formula or other scoring methodology.

AMP Component Option	Definition	Bidder Submission Should Include:	Additional Information	Considerations for Evaluation
1. Subcontracting with SOMWBA certified businesses	An individual, business, or organization that is SOMWBA certified and has a contract or formal written agreement to provide services and/or commodities to a Commonwealth contractor.	<ul style="list-style-type: none"> Names, addresses, phone numbers, fax numbers, email addresses, and contact persons of SOMWBA Certified M/WBE firms proposed within the AMP Plan. A description of each business relationship to be established, e.g. how the proposed relationship(s) will result in increased business and revenue to SOMWBA certified sub-contractors. The actual dollar amounts (benchmark), to be spent with each SOMWBA certified MBE and/or WBE firm during the life of the contract. 	<p>Using a sub-contracting approach in an AMP plan works best when there is an available pool of qualified W/MBE's. These may be newly incorporated or developing companies that might not be in a position to compete as a prime contractor but could be a valuable sub-contracting partner. Subcontractor participation should be based on the broadest and most inclusive available pool of M/WBEs. The services provided via the subcontract will be directly related to scope of the contract. Agencies should consider and plan for how sub-contracting information will be reported by the prime contractor throughout the contract duration.</p> <p>Agencies can identify potential subcontractors by using the SOMWBA certified business list at www.state.ma.us/somwba or the OSD statewide contract certified vendor list at comm-PASS@state.ma.us.</p>	PMTs or AMP Coordinators should rate the bidders response based on the commitments made in their AMP plan. If this component is the only one selected for inclusion in an AMP plan, it should receive the most weight. Additional weight should be given to the responses that are proposing the greatest dollar commitment to certified W/MBEs through sub-contract agreements and to those responses that commit to at least one certified MBE and one certified WBE.

AMP Component Option	Definition	Bidder Submission Should Include:	Additional Information	Considerations for Evaluation
2. Growth and Development	A plan that addresses the education, training, mentoring, resource sharing, joint activities and general assistance that is provided to W/MBEs that results in increased capacity in a specific industry and increases the pool of qualified SOMWBA certified companies.	<ul style="list-style-type: none"> Names, addresses, phone numbers, fax numbers, email addresses, and contact persons of M/WBE firms seeking SOMWBA certification proposed within the AMP Plan. A description of each business relationship to be established, e.g. how the proposed relationship(s) will result in increased business and revenue to SOMWBA certified sub-contractors. 	<p>Using a growth and development approach in an AMP plan works best when there are little or no documented SOMWBA certified companies available to do business with the Commonwealth. This approach may be of particular value to the Commonwealth when an explicit outcome of the procurement is to begin to develop certified SOMWBA capacity within a specific geographic area or within a specific service type. Agencies should consider and plan for how growth and development information will be reported by the prime contractor (bidder) throughout the contract duration.</p> <p>A good example of this type of approach would be a procurement that requires bidders to either:</p> <ol style="list-style-type: none"> Show capacity development through measurable increases in the number of certified W/MBEs within a specified area or within an industry. Document steady and significant growth in the annual revenue of certified W/MBEs as a result of mentoring, sub-contracting arrangements, joint ventures or other approaches. <p>Agencies may elect to encourage bidders to include those expenditures with M/WBE's which may not have been certified during the past two years if these M/WBEs are currently undergoing the</p>	<p>PMTs or AMP Coordinators should rate the bidder response based on the commitments made in their AMP plan. If this component is the only one selected for inclusion in an AMP plan, it should receive the most weight. If growth and development activities are one of several AMP options required in the AMP plan, the PMT should weight the criteria based on the desired result or best value. If the target is increased Commonwealth spending with certified W/MBEs immediately, then sub-contracting commitment should be weighted more heavily than growth and development. If, however, the goal is to develop and increase sustainable, long term relationships and growth, then growth and development initiatives should receive the heaviest weighting.</p> <p>Additional weight should also be given to the responses that are proposing the greatest dollar commitment to certified W/MBEs through growth and development activities and to those responses that commit to at least one certified MBE and one certified WBE.</p>

AMP Component Option	Definition	Bidder Submission Should Include:	Additional Information	Considerations for Evaluation
			SOMWBA certification process. Bidders would be required to submit documentation of this process and any assistance they have provided their minority and women owned businesses in achieving certification status.	
3. Ancillary Service/Purchase Agreements with SOMWBA certified Businesses	Any use of a SOMWBA certified M/WBE with or without a written agreement. Ancillary services are generally not directly related to the core services or commodity being delivered. As an example, a bidder providing counseling services who purchases office supplies or equipment maintenance from a SOMWBA certified company is an example of an ancillary agreement.	<ul style="list-style-type: none"> Names, addresses, phone numbers, fax numbers, email addresses, and contact persons of SOMWBA Certified M/WBE firms proposed within the AMP Plan. A description of each business relationship to be established, e.g. how the proposed relationship(s) will result in increased business and revenue to SOMWBA certified businesses. The actual dollar amounts (benchmark), to be spent with each SOMWBA certified MBE and/or WBE firm during the life of the contract. 	<p>Using an Ancillary Approach in an AMP Plan works best where there are limited opportunities to directly sub-contract a portion of the services or commodities required under the contract but there is a sufficient pool of SOMWBA certified businesses to provide services or commodities that support the general operation of the bidder. This approach may be combined with other AMP options and may be used when the primary contractor (bidder) is looking for creative initiatives for use of certified vendors. Agencies should consider and plan for how ancillary agreement information will be reported by the prime contractor (bidder) throughout the contract duration.</p> <p>A good example of this approach is when a bidder wants to improve the local economy by building partnerships with certified vendors or a bidder wants to purchase goods and services from certified vendors in its local area that ultimately will increase Commonwealth vendor pools, capacity and community development.</p>	PMTs or AMP Coordinators should rate the bidder's response based on the commitments made in their AMP plan. This item may help insure that the bidder's efforts are not focused primarily on one M/WBE and that maximum utilization is considered. A relatively small amount of the evaluation scoring may be appropriate here.
4..Past Performance	A Bidder's expenditures with SOMWBA certified MBEs and/or WBEs within the past two years.	<ul style="list-style-type: none"> Names, addresses, phone numbers and contact persons of SOMWBA Certified M/WBE firms with which the bidder has 	Using past performance history may be an excellent indicator of a bidder's commitment to AMP goals. PMTs or AMP Coordinators could	A relatively small amount of the evaluation scoring may be appropriate here but there should be some positive weight given

AMP Component Option	Definition	Bidder Submission Should Include:	Additional Information	Considerations for Evaluation
		<p>done business in the last 2 years.</p> <ul style="list-style-type: none"> The actual dollar amounts spent with each MBE and/or WBE firm in the last 2 years (if applicable). 	<p>rate the bidders based on past business with SOMWBA Certified M/WBEs. This may help insure the bidders take the time to provide accurate M/WBE expenditures with their proposal. This in turn provides the basis for a realistic benchmark.</p> <p>Agencies may elect to encourage bidders to include those expenditures with M/WBE's which may not have been certified during the past two years if these M/WBEs are currently undergoing the SOMWBA certification process. Bidders would be required to submit documentation of this process and any assistance they have provided their minority and women owned business in achieving certification status.</p>	for past year commitments.
5. Other	In addition, agencies are encouraged to include further incentives for bidders to commit to at least one SOMWBA certified MBE and at least one SOMWBA certified WBE in each AMP plan submitted.	<ul style="list-style-type: none"> A description of bidder capacity or use of these M/WBEs should be included in the AMP plan. A description of the type of business relationship to be established, e.g. how the proposed relationship(s) will result in increased business opportunities and revenue to SOMWBA certified or eligible contractors. 	Including this approach in an AMP Plan allows creativity in the inclusion of at least one minority-owned and one women-owned business in the submission of an AMP plan. This approach will also assist in ensuring equitable outreach by bidder to both types of certified businesses.	PMTs or AMP Coordinators should rate the bidder's response based on the commitments made in their AMP plan. This item may help insure that the bidder's efforts are not focused primarily on only one certified vendor and that consideration is given to all possible partnerships .A relatively small amount of the evaluation scoring may be appropriate here.

RFR – Required Specifications

Affirmative Market Program (AMP).

Massachusetts Executive Order 390 established a policy to promote the award of state contracts in a manner that develops and strengthens Minority and Women Business Enterprises (M/WBEs) and resulted in the Affirmative Market Program in Public Contracting. As a result, M/WBEs are strongly encouraged to submit responses to this RFR, either as prime vendors, subcontractors, joint venture partners or other type of business partnerships.

Non-certified bidders are strongly encouraged to develop creative initiatives to help foster new business relationships with M/WBEs within the primary industries affected by this RFR. In order to satisfy the compliance of this section and encourage bidder's participation of AMP objectives, the Affirmative Market Program Plan for large procurements greater than \$50,000 must be evaluated at 10% or more of the total evaluation. Once an AMP Plan is submitted, negotiated and approved, the agency will then monitor the contractor's performance, and use actual expenditures with SOMWBA certified contractors to fulfill their own AMP expenditure benchmarks. M/WBE participation must be incorporated into and monitored for all types of procurements regardless of size, however, submission of an AMP Plan is mandated only for large procurements over \$50,000.

Agencies may require some or all of the following components as part of the Affirmative Market Program Plan submitted by bidders: Sub-contracting with certified M/WBE firms, Growth and Development activities to increase M/WBE capacity, Ancillary use of certified M/WBE firms, Past Performance or information of past expenditures with certified M/WBEs. Agencies are encouraged to include additional incentives for bidders to commit to at least one certified MBE and WBE in the submission of AMP plans.

A Minority Business Enterprise (MBE), Woman Business Enterprise (WBE), M/Non-Profit, or W/Non-Profit, is defined as such by SOMWBA. All certified businesses are required to submit an up to date copy of their State Office of Minority and Women Business Assistance (SOMWBA) certification letter. The purpose for this certification is to participate in the Commonwealth's Affirmative Market Program for public contracting. Minority- and Women-Owned firms that are not currently certified but would like to be considered as an M/WBE for the purpose of this RFR should submit their application at least two weeks prior to the RFR closing date. For further information on SOMWBA certification, contact their office at 1-617-727-8692 or via the Internet at mass.gov/somwba.

Affirmative Market Program Subcontracting Policies. Prior approval of the agency is required for any subcontracted service of the contract. Agencies may define required deliverables including, but not limited to, documentation necessary to verify subcontractor commitments and expenditures with Minority- or Women-Owned Business Enterprises (M/WBEs) for the purpose of monitoring and enforcing compliance of subcontracting commitments made in a bidder's Affirmative Market Program (AMP) Plan. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.

APPENDIX C

AFFIRMATIVE MARKET PROGRAM COORDINATOR JOB DESCRIPTION

AFFIRMATIVE MARKET PROGRAM COORDINATOR JOB DESCRIPTION

1. Develops and coordinates the agency's Affirmative Market Program (AMP) objectives pertaining to expenditures with Minority and Women Business Enterprises (M/WBE) in the areas of goods, services, construction and design; and monitors contract and procurement language in order to ensure effective operation and compliance with Executive Order 390. Initiates and follows through on any necessary remedial actions for compliance.
2. Establishes benchmark objectives for agency or department based on the average of the previous two years of M/WBE expenditures added to the projected annual increase.
3. Secures approval of fiscal benchmark objectives (targets) from the agency head, and coordinates with the chief financial officer on the distribution of the goals to the appropriate managers and staff.
4. Maintains a current list of ready and willing SOMWBA certified vendors available to contract with state entities. Distributes the list and immediately notifies appropriate managers and staff of any changes.
5. Regularly monitors the SOMWBA and Comm-PASS web pages for updates and instructs appropriate managers and staff on how to use these resources.
6. Provides resources, information and guidance to appropriate managers and staff regarding AMP mandates.
7. Maintains knowledge of current procurement language, regulations and procedures, including those issued by the Operational Services Division (OSD) relating to the Request for Response (RFR) process.
8. Provides regular written reports to upper management on AMP activity, highlighting year-to-date progress toward meeting or exceeding benchmark objectives.
9. Develops, oversees, and coordinates the data-gathering and data-analysis systems necessary to produce reports required by Executive Order 390.
10. Develops a department narrative for the AMP Secretariat Coordinator to be incorporated as part of the Secretariat Narrative and included in the AMP's Annual Report, including data that measures performance against stated goals and objectives.
11. Actively participates in all AMP related activities throughout the fiscal year including but not limited to monthly Coordinators' meetings.

CABINET SECRETARIAT COORDINATORS:

12. Supervises AMP Coordinators of agencies that fall under their Executive Office including the establishment of the structure and timing of regular written reports that measure the agencies' performance toward meeting established benchmark objectives.
13. Prepares the annual AMP narrative for the Executive Office that consolidates the narratives of the secretariat's agencies, and includes research and analysis evaluating each agency's performance based upon their benchmark achievement. Identifies secretariat wide barriers and makes recommendations to appropriate agency staff and AMP directors.

APPENDIX D

AFFIRMATIVE MARKET PROGRAM STATEWIDE COORDINATOR CONTACT LIST

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George Fingold Library							
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Commission on Veterans' Services							
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Merit Rating Board							
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Military Division							
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Parole Board							
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Registry of Motor Vehicles							
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Sex Offender Registry Board							
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OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATIONS							
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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

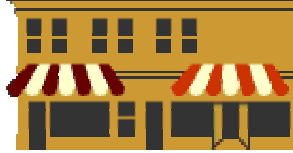
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Division of Occupational Safety							
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APPENDIX E

AFFIRMATIVE MARKET PROGRAM BUSINESS ADVISORY BOARD



Affirmative Market Program

Commonwealth of Massachusetts

AMP BUSINESS ADVISORY BOARD

Historical Background:

The Affirmative Market Program (AMP) currently housed at OSD, was established in August of 1996 through Executive Order 390 as signed by then Governor Weld and Lt. Governor Cellucci "Establishing an Affirmative Market Program in Public Contracting". It establishes a policy to promote the award of state contracts in a manner that develops and strengthens certified Minority and Women Business Enterprises (M/WBEs).

In establishing Executive Order 390 the "Commonwealth has affirmed responsibility to develop and maintain equitable practices and policies in the public marketplace." The hearings and investigations that both the Massachusetts Commission Against Discrimination and the Executive Office of Transportation and Construction conducted produced the documentation necessary to demonstrate the purpose for Executive Order 390. Therefore all executive offices, agencies, departments, boards, and commissions of the Commonwealth are directed to implement the narrowly tailored Affirmative Market Program.

Subject to the approval of the Secretary of Administration and Finance or his/her designee all participating state agencies and authorities shall set annual benchmarks for spending with certified minority- and women-owned businesses. A diverse business community strengthens the economy and is beneficial to all of the citizens of the Commonwealth of Massachusetts.

Mission:

To assist the Commonwealth and its AMP participating entities in maintaining the objectives of Executive Order 390. In doing so, the AMP Business Advisory Board would be responsible for providing input, which would represent the interests of SOMWBA certified vendors. Board involvement would include, but is not limited to, feedback and input in an advisory capacity and through participation in quarterly meetings or as needed.

Purpose:

The Business Advisory Board will make contributions to the program for the purpose of improving performance of AMP targets by the certified vendor community and state entities. The Business Advisory Board will serve the program directors by advising, informing and cultivating a partnership to maximize participation of minority- and women-owned businesses in the state contracting system.

Criteria for Selection:

Secretary for Administration and Finance, State Procurement Agent and the Affirmative Market Program directors will nominate potential members of the Board. Business Advisory Board members will be those minority- and women-owned, state-certified businesses participating in the Affirmative Market Program, community based programs whose mission includes the concerns of minority- and women-owned businesses, or other entities that represent the interests of minority- and women-owned businesses. All participants should be familiar with the Affirmative Market Program, Executive Order 390, and the state procurement process.

State certified businesses should maintain in good standing their certification status as mandated by EO 390 and meet all compliance of their certification requirements.

Responsibilities:

All qualified participants will be requested to commit to a one-year membership to the Board to be extended at the discretion of the Executive Director. Board members must commit to:

- Attend quarterly meetings and any other meetings set by program director.
- Perform in the best interest of the AMP.
- Use discretion on matters discussed at meetings.
- Partner with program directors to assist in AMP agenda and objectives.
- Provide resources, information and advice to AMP directors.
- Maintain knowledge of current procurement regulations and procedures.
- Maintain state certification status, if applicable.
- Perform assigned tasks.

AFFIRMATIVE MARKET PROGRAM BUSINESS ADVISORY BOARD NOMINEES 2003

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